

**MEETING MINUTES
MONTANA POST COUNCIL
DECEMBER 2, 2015
POST CONFERENCE ROOM
HELENA, MT**

PRESENT

Tony Harbaugh ~ Chairman ~ by phone
Laurel Bulson
Kimberly Burdick ~ by phone
Jim Cashell ~ by phone
Bill Dial ~ by phone
Lewis Matthews ~ by phone
Kevin Olson
Ryan Oster ~ by phone
Tia Robbin ~ by phone
Jesse Slaughter ~ by phone
Jim Thomas

NOT PRESENT

STAFF PRESENT

Perry Johnson ~ Executive Director
Mary Ann Keune ~ Administrative Assistant
Katrina Bolger ~ Paralegal/Investigator

LEGAL COUNSEL PRESENT

Sarah Clerget
Chris Tweeten by phone

GUESTS

Andrea Lower ~ Gallatin County Court Services ~ by phone
Rich Friedel ~ Billings ~ by phone
Alex Roth ~ Billings ~ by phone
Mike Buechler ~ Bridger Police Department ~ by phone
Steve Ette ~ Gallatin County Court Services ~ by phone
Curt Stinson ~ Helena Police Department
Glen Stinar ~ MLEA Administrator
Truman Tolson ~ Missoula Police Department ~ by phone
Jim Smith ~ Helena Mayor ~ by phone
Mike Linder ~ Yellowstone County ~ by phone
Donna Whitt ~ Toole County ~ by phone
Roger Nassett ~ Kalispell Police Department ~ by phone
Rick Musson ~ Laurel Police Department ~ by phone
Scott Hamilton ~ Park County ~ by phone
Bill Todd ~ Gallatin County Court Services ~ by phone
Ryan Finn ~ Gallatin County Court Services ~ by phone
EJ Clark ~ Belgrade Police Department ~ by phone
John Turner ~ Fort Benton Police Department ~ by phone
Doug Colombik ~ Miles City Police Department ~ by phone

Rich McLane ~ Bozeman Police Department ~ by phone
 Bill Cassell ~ Petroleum County ~ by phone
 John Klobofski ~ Chinook Police Department ~ by phone
 Gabe Harry ~ City of Chinook ~ by phone
 Josh McQuillan ~ Carbon County ~ by phone
 James Marble ~ Stevensville Police Department ~ by phone
 Bill Dove ~ Gallatin Airport Authority ~ by phone
 Leo Dutton ~ Lewis & Clark County ~ by phone
 Travis McElderry ~ Ravalli County ~ by phone
 Dan Cederberg ~ Missoula County ~ by phone
 Bill Michaelis ~ Yellowstone County ~ by phone

WELCOME

Meeting called to order by Tony Harbaugh, Chairman, at 9:00 a.m.

Perry Johnson called roll.

Bill Dial made a motion and Kimberly Burdick seconded to approve the minutes of the September 16, 2015 meeting. Motion carried, all members voting in favor.

PUBLIC COMMENT/GUEST ISSUES

Glen Stinar thanked the Council members for participating in the survey that was sent out. He said the comments were generally good concerning the training and staff but the facility comments indicated some improvements needed. He is working with the legislative session to give those recommendations. The next briefing will be Tuesday, December 8, 2015 with the Legislative Finance Committee. Revenue expenses and survey results will be discussed. Glen Stinar stated that he will give a copy of the survey results and year-end report to Perry Johnson to disseminate to the Council members.

He also shared that the Model Policy Committee had met and updated the twenty-six Model Policies. Scott Sterland, the MLEA Risk Management Program Manager, developed a two hour ethics training and sent it out to the field.

The MLEA will host a Training Coordinators Conference in March and invited all training staff to attend.

Glen Stinar asked the MLEA Professional Programs Manager to schedule a regional meeting. It will be held in Douglas, Wyoming in the spring. There will be six agencies present with the hopes of staff members bringing home some new ideas.

The MLEA has scheduled an Instructor Development class and a First Line Supervisor class in Miles City in July. If the classes go well the trainings will continue.

Rich Friedel commented that he and Alex Roth, a practicing attorney from Billings, were on the phone together. He mentioned that there has been ongoing dialog with POST concerning pretrial service officer certification. There are two different avenues they are looking at; having some sort of private certification for private individuals

who can't attend the MLEA as a public employee or working on legislation to change the language to make it applicable to the situation here in the state of Montana. Rich Friedel asked Perry Johnson to pass on to the Council the outline he sent to him. Rich Friedel is looking for some guidance and input concerning the curriculum.

Perry Johnson shared that he and Rich Friedel had spoken several times in the last few weeks and Rich Friedel had sent Perry Johnson a curriculum outline that he and Stillwater Tactical had created. Perry Johnson reported that POST hadn't received the outline in time to include it with the meeting agenda. Perry Johnson can push it out to the members, it can be added to the next meeting agenda and it can go before the Curriculum Committee.

Perry Johnson did think the bigger issue is the second item Rich Friedel brought up. What is the status of private misdemeanor officers and collectively as an agency, how does POST manage that in the future and where does POST go from here. He appreciates that Rich Friedel and his group have brought forth an outline of what they think might be a good start.

Perry Johnson also mentioned that Dan Cederberg also represents a group who have some tremendous insight as to what's necessary to be successful with that industry. Perry Johnson isn't convinced that POST is the group that should oversee that industry. He knows it's up to the Council as to what they think about the oversight. It appears to be very similar to private security and Perry Johnson thinks the Department of Labor could have oversight of the group.

Perry Johnson continued that POST has reached out to the Attorney General asking for additional guidance on these topics in regards to who POST has oversight over and who potentially or where potentially these requests could be accommodated.

Rich Friedel responded that he just wanted to get this out on the table and agrees with Perry Johnson that the nature of pretrial services is not within the Department of Corrections and probably should not be burdening POST. He has been having the conversation with several of legislators in his county letting them know that his position is to direct operations to the Department of Labor. He would like to work through legislation for changes and would like to rethink the whole misdemeanor probation officer issue. Some would like to leave the misdemeanor probation piece in the statute in case a governmental agency would like to have misdemeanor probation employees. They would fall under POST since they would have arrest powers and Rich Friedel doesn't think pretrial monitors should have arrest powers.

Perry Johnson assured Rich Friedel that the Council is very interested and wants to be a part of the process to sort this issue out. He offered help if needed.

Perry Johnson asked Dan Cederberg if he had any comments. Dan Cederberg stated that he works with Missoula Correctional Services that operates the Prerelease Center for the Department of Corrections in Missoula and two other programs for the county. Their interest lies in getting certification for their officers. They currently have three officers who have been through a basic academy. He explained they were at the Council in 2013 with this issue about getting the training and certification so

that they could continue running the programs in the same way they have been running them since the mid-nineties.

Dan Cederberg said the Missoula Correctional Services would like the misdemeanor probation and pretrial services officer to have arrest authority. He would like to be on the next meeting agenda and come with a comprehensive plan. His plan is to get in touch with Rich Friedel and come back with some ideas for addressing the situation.

Perry Johnson commented that he thinks Sarah Clerget, Chris Tweeten and himself could collectively come together with Dan Cederberg and Rich Friedel and discuss these issues for the purpose of information for the Council.

Perry Johnson reported that a month earlier Dan Cederberg, Kirsten Pabst, Chris Tweeten and himself met and discussed several issues.

Chris Tweeten added that he and Dan Cederberg had been in contact over the past week and felt like they had clarified for MCS the Council's position with respect to this particular problem. He explained the problem arises from the fact that POST has a statutory requirement for certification of misdemeanor probation officers and pretrial services officers. Chris Tweeten went on to say that while they aren't exactly the same, both groups of officers are obligated by statute to receive the same training as felony probation officers receive. As discussed earlier, this is one of the big issues Rich Friedel is hoping to take to the legislature and get changed since the job duties are considerably different. Chris Tweeten reiterated that if the legislation goes forward, POST would like to be a constructive participant in the process working with the local governments to make it work for all parties.

Chris Tweeten reminded everyone that POST has a request in to the Attorney General asking for an opinion on whether POST has the ability to grant waivers to local governments for a short term fix. The Council is waiting to hear back before it would be receptive to waiving a statutory requirement regarding basic training.

Chris Tweeten explained that the pretrial officers' statute is a little different in the sense that it recognizes that the workers are in a contractual agreement with the county, not actual county employees. The employment question isn't a barrier to getting a person certified. He advised Dan Cederberg to review the ARMs for MCS in regards to steps that need to be followed to get certified and so forth. If pretrial services officers have been properly trained in accordance with the statute they should submit their applications to POST to see if they qualify for a certificate.

Chris Tweeten said he advised Dan Cederberg in regards to misdemeanor probation, the statute doesn't have the language in it allowing contractors to provide the service of misdemeanor probation to a county. Only government employed misdemeanor probation officers would qualify for certification. He related that all of POST's cards are on the table and are committed to work to come up with a constructive solution.

Bill Dial stated that he is concerned with the way the meeting is being conducted. The Public Comment time is for the public to comment, not the members. He would like to see the situation with MCS on the next agenda to be discussed.

Tony Harbaugh told Bill Dial that it is on the agenda and will be discussed later in the meeting and appreciated his comment.

PUBLIC COMMENT REGARDING RESERVE OFFICER ISSUES

Perry Johnson shared that regardless of what has been discussed or said outside the Council business, POST has never taken the position to eliminate or diminish the role of reserve officers. The agenda item this morning is for discussion. POST wants to share information so that communication with the Council and its partners can take place. POST really feels like the stakeholders and the agencies and administrators are POST's partners. The issue is on the agenda today specifically to start a conversation and to create a process of how to gather information and provide information.

Perry Johnson said at the September Council meeting he and Chris Tweeten were tasked with creating an informational memo to disseminate to all agencies that would contain relevant data that POST could collect and disseminate that would create a common point of reference for future discussions and actions. The Council understands this issue is complex. It relates to statutes, ARMs, AG opinions, definitions and history.

Three years ago POST worked through a very complex case with an agency in western Montana involving reserve officers issues. That contested case cost POST a tremendous amount financially but the bottom line is it cost every agency in Montana in regards to trust and honor and standing as a profession. He reminded everyone that the reserve officer statute was created in 1977 with a requirement of eighty-eight hours of training. That eighty-eight hours of training is still the standard, thirty-eight years later. In 1977 the law enforcement basic academy for full time officers was 120 hours. In 2015 it's 480 hours. If we expanded reserve officer training at the same rate that law enforcement training was expanded, it would be about 352 hours.

Finally, he reminded everybody that this is the way the POST Council does business. This is the only way it does its business. There are no secret meetings. There are no conclave or group that meets and makes decisions outside the scope of these Council meetings. He also remarked that he doesn't pretend to be an expert in any of these matters. This is the stakeholders Council and the way they do business. He is really hoping this will be a positive experience today and a good starting point for this discussion.

Tony Harbaugh opened it up for individuals to voice comments.

James Marble thanked Perry Johnson for the overview of the history regarding reserve officers. He related that awhile back POST attempted to address the issue. There was discussion about the need for legislative change for training hours. He does believe that still needs to happen. One of the biggest factors that came to play was the fact that there was no alternate definition of a reserve officer in 7.32.303 and associated statutes. He thinks that it needs to be addressed. The realization is that the reserve officers fall under POST for training, curriculum and review. He thinks it's imperative to create a canned curriculum so it will be consistent. There was a dacum study done with officers across the state that worked towards developing that canned curriculum that could be disseminated. He would love to see forward momentum with oversight

by POST and some direction towards establishing a goal in consistent training for reserve officers.

Tony Harbaugh said the item is on the agenda today because the Council is seeking input.

Leo Dutton commented that it's time to reevaluate what is required for reserve officers. His agency has a very significant program with a robust training program. He doesn't know if all areas do more than 88 hours or not. He agrees that 88 hours in today's world is a feeding frenzy for defense attorneys. He thinks it would be a good idea to come up with an appropriate number of hours and also agree what the reserve officer would be eligible for and not eligible for. They shouldn't be running full time shifts and he also would like to determine what a stipend really is. He understands that an agency does depend on the reserve officers to help them out. He feels it may be time to go to the legislature with this issue. It's important to open the dialog to discuss how this can be accomplished.

Bill Castle agreed with what Leo Dutton had to say and mentioned that the rural communities value their reserve officers. He also stated that there are many valid points being brought up in regards to training. The more an agency relies on the reserve officers, the more they should be trained, in his opinion. He would like to see a curriculum developed that everyone could function under.

Rick Musson commented that the Laurel Police Department has had a reserve program for much longer than he has been there. They use their reserve officers to transport people. Their agency's reserve program is 150 hours. It's designed that anyone can pick up the book, study and teach it. They train other agency's reserves as well. He offered his curriculum as a guide to go off of and any help needed to develop the material.

Donna Whitt agreed with everything that had been said but asked if the trainers need to be POST certified to teach the reserve officers.

Curt Stinson stated he agreed with what has been said. He pointed out that POST is being asked to certify officers whose training is dependent on the agency and all the other basics are under the control of the MLEA. He would like to see a standard set by POST and possibly the instructors being certified to teach the curriculum.

Jim Thomas asked if these instructors not being POST certified is an issue.

Chris Tweeten asked Perry Johnson to answer that question.

Perry Johnson stated that he appreciated that Bill Dial brought up the need for the Public Comment period to be for the public to comment. He wanted to wait until the next agenda item is called by the chairman and address it then.

Leo Dutton stated that the answer to that question is, "how defensible are your instructors?" It all revolves around court.

OLD BUSINESS

Reserve Officers:

Certificate Application - Perry Johnson directed the Council members to the legal references notebook, pages 14 & 15. He informed the guests that the Council would be looking at 7-32-214 that talks about the basic training program required for reserve officers. This is the standard that has been adopted by the Council. Subsection (2) reads that the law enforcement agency is responsible for training reserve officers in accordance with minimum training standards established by the Council.

Perry Johnson stated that the minimum standard is 88 hours and, that, being a POST approved minimum would require the instructors to be POST certified. He shared that the baseline for that is; the officer have three years of experience as a public safety officer, a 40 hour or equivalent instructor development class, and submit an application with a completed lesson plan.

Perry Johnson shared that his responsibility and the responsibility of the staff is to make sure of what the ARMs are and the way they interact with the statutes is carried to the administrators of Montana. He related that this is a big program to carry with a small staff. This Council has been tasked with a tremendous amount of responsibility and foot work in regards to the whole law enforcement community in the state. The relationship established with Kevin Olson prior to Glen Stinar was a tremendous resource to Perry Johnson. Glen Stinar's relationship and his staff has been equally beneficial. He believes that POST is in educational mode for both the administrators and the Council. It's important to tie the ARMs to AG opinions to statutes to definitions.

Perry Johnson thinks the availability is there to reach back out to the MLEA and ask them, based on what they've already provided to POST, to provide an expanded view of this curriculum that's in the statutes. He would like them to help POST develop a lesson plan curriculum that can be given to individual agencies where certified instructors can pick it up and present it back to POST to be certified. He would like it to be a "one size fits all" for a minimum standard and if an agency wants to expand beyond that, they can submit their lesson plans to POST for review and issuing of instructor certificates. He feels like the Council is going in the right direction with this issue.

Perry Johnson directed the Council to page 25 of the meeting materials. He remembered that at the last Council meeting the certificate application was discussed. Tia Robin asked if the three requirements for a reserve officer were on the application form.

1. Have you been a reserve for more than a year?
2. Are you a volunteer member?
3. Are you part time?

Katrina Bolger updated the form after the last meeting to reflect those questions.

Perry Johnson explained that the form is on the agenda today to update the Council and ask if there are any additional edits and for a motion to adopt the certificate application so it can start being used online.

Kevin Olson asked Curt Stinson if the retired officers they use in their reserve program have to go back through a separate reserve training or are the credentials accepted.

Curt Stinson said they don't make their retired officers go through additional training and now is wondering if that is correct practice. Kevin Olson agreed that a peace officer basic academy should suffice and wondered if the application should reflect that.

Perry Johnson agreed with that practice and also referenced 7-32-240 about maintaining an active status as a reserve officer. He directed the Council to page 17 of the reference guide. He explained that a retired officer can also maintain their active status by becoming a part time officer. The distinction is a part time officer can be paid a regular salary. It might affect their retirement benefit so it would be something they would have to take a look at.

Kevin Olson didn't agree with that. The reserve officer specifically states that you can't belong to a retirement system. The retirement benefit is based on the last three years of employment. He thinks a part time officer is required to make a contribution to a retirement system. Kevin Olson referred to Randy Robinson who worked part time for the Havre Police Department for three years which reduced his retirement by almost \$1,500.00 a month. That's the benefit to the reserve status in his mind.

Kevin Olson thought another line should be added asking if the officer has met the requirement of 7-32-303, or in the alternative, met the requirement of the reserve statute.

Sarah Clerget added that a problem may arise in regards to 7-32-214 where it states that a reserve must have a minimum of 88 hours of training within 2 years of appointment as a reserve. If they went to basic 15 years prior the training doesn't meet the requirement in terms of time frame.

Curt Stinson disagreed with the interpretation. He said they can't function as law enforcement after 2 years unless they completed the training. It doesn't say that training has to be completed within those 2 years is how he interpreted that.

Chris Tweeten agreed with that interpretation.

Sarah Clerget commented that it might depend on the outcome of the Attorney General's request to see if POST is allowed to waive a statutory requirement. The Council would be able to waive the requirement for officers who have completed an LEOB. She also said that the Council may be able to waive the ARM requirement in (2) instead of the statutory requirement.

Kevin Olson shared that 7-32-240 answered his specific question. Katrina Bolger commented that the question arises as to whether an officer has to have a reserve

basic certificate in addition to law enforcement basic certificate because they are maintaining their law enforcement basic.

Sarah Clerget stated that essentially they aren't certified as a reserve, they are certified as a peace officer. The way to solve it might be to say POST isn't going to give a reserve certificate because in order to receive a reserve certificate you have to meet the requirements of 7-32-214. POST is going to maintain the peace officer's basic certificate. She explained that it matters in regards to what will be taken away if it is ever taken away by POST by a contested case.

Perry Johnson thought it does say that the basic peace officer certificate is maintained. He said Sarah Clerget and Chris Tweeten interpret the requirement differently and it can be resolved outside the scope of the meeting.

Kevin Olson remarked that his comment was specific to the application. Perry Johnson clarified that the question is a matter of an officer being issued a reserve basic certificate if the officer has already received a peace officer basic certificate. If the Council revokes a certificate which would they revoke if they had been issued both.

Chris Tweeten referred to 7-32-211. It states a person who meets minimum standards for appointment as a peace officer may be appointed as a reserve officer. Perry Johnson stated that the minimum standard refers to 7-32-303 where it states a person has to be a citizen and so on. Perry Johnson shared that the minimum standard for basic certification is one year of service with the agency and successful completion of MLEA. He directed the members to 7-32-303, or page 18 in the legal reference book. Sarah Clerget commented that the 1 year could be the same.

Kevin Olson stated that his question pertains to being able to provide clear guidance to the agencies on how they notify POST of who their reserve officers are and what training they have that would qualify them for certification. Perry Johnson asked the Council to allow him to talk to Sarah Clerget and Chris Tweeten to make sure whatever position POST takes is a clear bright line.

Sarah Clerget said a line might be able to be added that asks if the person is a retired law enforcement officer. Perry Johnson asked if they have to be a Montana peace officer. Kevin Olson said no because it is the language of the legal equivalency course.

John Strandell asked if it is absolutely critical to approve the form today or should all the issues be discussed and brought back as an agenda item for the next meeting. Perry agreed to have it on the agenda for the next meeting.

Kevin Olson asked if the Council has to approve forms. John Strandell said they have in the past. Katrina Bolger remarked that there are some forms that the ARMs specifically say have to be approved by the Council, but not all of them.

Kevin Olson made a motion and Jim Thomas seconded that Perry Johnson make a form that works for the office. Motion carried, all members voting in favor.

Letter to Agencies

Perry Johnson directed the Council members to page 27 of the meeting materials. He shared that he and Chris Tweeten were tasked at the last meeting with creating a memo to send out to the agencies in Montana that relates to the questions about reserve officers. Pages 27, 28 and 29 contain the information that Perry Johnson, Katrina Bolger and Chris Tweeten created. He asked the Council to review the document to be sure it is what they want sent out after this meeting.

John Strandell thought the document looks fine. Chris Tweeten commented that Katrina Bolger was the one who created the document and complimented her on a job well done. He thinks it is useful guidance for the agencies.

Perry Johnson shared that there are 32 pages of references Katrina Bolger used to create the document. If the stakeholders have questions the reference pages are attached.

Tony Harbaugh asked Katrina Bolger about the last paragraph on page 27, "County public funds may be used to reimburse a reserve deputy sheriff's expenses". He asked if that was referred to in the Attorney General's opinion in the same paragraph. Perry Johnson commented that parenthesis could be added after the sentence as a referral.

Tony Harbaugh told the Council the common question administrators ask him, is how to interpret that part of the statute. Perry Johnson said it is one of the most frequent phone calls he receives as well. He pushes the Attorney General's opinion out to the callers because at this point the 1988 opinion is the most current reference POST can give. He told the Council that all the reference documents would accompany the letter when it is sent out.

Chris Tweeten stated that the workers compensation issue is covered by statute. The statute states that reserve officers have to be carried on the local governments workers comp coverage. When they are acting in the course and scope of their assignment with the local agency and get hurt, they are going to be entitled to workers comp benefits.

Chris Tweeten said he does think there is some room for interpretation on what reasonable benefits constitutes. A reserve can't be paid a salary based on performance or hours worked but a reserve can be paid reasonable benefits. He advised that a local government does have some room for interpretation that might fall in the area of reasonable benefits.

Tony Harbaugh shared that several years ago a work comp claim was filed on behalf of a reserve officer. At that time it was decided that even though the officer was a doctor in his day job, he was only going to be compensated at a beginning officer wage for that agency even though he could no longer function in his day job.

Perry Johnson pointed out that while the letter is instructive and there are numerous attachments that speak for themselves, POST stayed away from span of control. He believes until POST has an opportunity to work with its partners that have these programs, and collectively it needs to be something to develop a discussion on. He also brought up that there hadn't been any discussion about if they had been paid historically. In the last meeting the decision was made to find out if a reserve had

been paid before. How does that affect an appointment as a peace officer? That topic isn't addressed in the letter and hasn't been given a bright line. It is Perry Johnson's opinion to look at that in a case by case basis. He thinks the meeting today and through the efforts of discussion held with MACOP and MSPOA by Ryan Oster and Tony Harbaugh, will get the discussions started. Those discussions will lead to a better understanding with the agencies as to where the Council is going and how deliberately POST is moving into it.

Perry Johnson suggested that if this meets the intent of what the Council asked for at the last meeting that the staff go ahead and send it out. If there are other edits wanted, they could be incorporated.

Katrina Bolger will add an "s" to "reserve" on the first bold heading.

Curt Stinson wondered about the second page of the letter, under "What training do reserves need?" He referred to the discussion that Kevin Olson and him were having concerning the 88 hours having to be completed in 2 years. He wondered if the interpretation was still undetermined and needed to be determined before the letter goes out. Perry Johnson thanked Curt Stinson for reminding the Council about that. Perry Johnson asked the Council to allow for edits after a legal review.

Tony Harbaugh opened the floor for comments by the members. None were spoken so the go ahead was given to do some research and make the necessary edits. Perry Johnson advised the changes will be made. When it is sent out to the agencies each Council member will receive a copy as well.

Ryan Oster wanted to know if the letter goes out now, then changes are made to the whole reserve scheme, will it create confusion among the agencies. Perry Johnson would like to add a final paragraph to the letter stating that this is a starting point and as POST moves forward it will be done in partnership with the stakeholders and the affected parties as a team. Ryan Oster agreed with that.

Chris Tweeten reported that the federal law suit going on in Ronan may use the document as an exhibit once it is distributed. He also stated that Perry Johnson may be noticed for a deposition with respect to the contents of this letter since it will be going out with his signature on it. POST may get somewhat further entangled in the law suit after the issuance of the letter.

Tony Harbaugh asked Chris Tweeten if there is any concern on his part in regards to POST remaining consistent in how it has been dealt with previously. Chris Tweeten is comfortable with POST's consistency as far as he knows in recent years.

Perry Johnson asked Tony Harbaugh to ask Sarah Clerget the same question. Sarah Clerget thinks the memo doesn't take a position on anything. The memo just explains what the law is with no interpretation at all in the memo.

Perry Johnson reviewed the decision of the Council. There will be an edit to the one area that was talked about and the final paragraph written about future changes. When those are completed the letter will be sent out in the next couple of weeks.

Bill Dial asked Kevin Olson to call him about an issue that needs to be addressed after the Council meeting.

The Council took a 7 minute break. 10:45 – 10:52.

Tony Harbaugh called the meeting to order again.

Minimum Standards

Perry Johnson directed the member to page 58 to a list that Katrina Bolger polled through IADLEST. The list shows the responses to who has reserve officer requirements. The findings were substantial. Not only is Montana's requirement for peace officer basic the lowest in the nation, the reserve officer basic requirements are also the lowest in the nation.

Perry Johnson directed the Council to the work product Glen Stinar and his staff produced on pages 59-66 in the meeting materials. They created an expansion of 7-32-214, the 88 hours now required by law for the reserve training. POST asked the MLEA to take a look at it and make suggestions and specific recommendations for expanding those areas. There are specific steps in the training they produced and he thinks it could be the prequel to asking them to develop a curriculum. When the MLEA staff applied the minimum amount of training for the skillset, they came up with 122 hours. Perry Johnson appreciated all the work the academy staff did for POST.

Jim Thomas asked about the "Laws of Arrest" heading with 4 hours by statute and the staff recommended 2 hours. Perry Johnson explained that it's a statutory requirement and though we have a letter into the Attorney General asking what the Council can waive and not waive he doesn't feel like anything can be reduced in the 88 training hours.

Tony Harbaugh thanked the MLEA for the effort they put into the training document.

Mike Linder said his phone cut out when Perry Johnson reported the number of hours the MLEA staff came up with for the reserve basic training. Perry Johnson report 122 hours. Mike Linder said his agency is looking at their entire reserve program now so it's very important to him.

Lake County Lawsuit

Chris Tweeten updated the Council on the lawsuit involving the officers up in the Flathead. POST has been sued in the case along with Clay Coker and Wayne Ternes. Anne Brodsky filed a motion to dismiss the two individually named staffers from POST and to dismiss the claim and complaint that seeks punitive damages against all of the defendants on the grounds that the statutes don't allow the recovery of punitive damages against a government agency under state law. That motion has been granted so Clay Coker and Wayne Ternes are no longer named defendants in this case although they will be witnesses if it ever goes to trial.

The claim for punitive damages is no longer part of the case so that means that to the extent any liability is ever established the plaintiffs are going to have a burden of

showing the extent to which they were actually damaged by what was published in the Missoula Independent. That's a fairly significant win for POST.

Anne Brodsky has also filed a motion seeking summary judgment which would result in the dismissal of the entire case against all of the state defendants. That motion was argued in front of Judge Dayton. Anne Brodsky is still waiting to hear the ruling. Chris Tweeten said in his experience, courts are reluctant to grant those kinds of motions until discovery has been taken. The case is static at this time.

Request for AG Opinion Letters For More Time

Chris Tweeten directed the members to the AG request letters in the meeting materials. The materials also has a letter back from a member of the AG's staff. The letter from the AG's staff pertains to a statutory requirement that opinion requests be answered within 90 days unless the AG certifies that more time is needed to fully research and respond. The 2 letters by the AG staff are the certification that they aren't going to get this out within 90 days.

Chris Tweeten sent a communication to the attorney who sent the 2 letters asking for a guess as to how long POST will have to wait for a response. He hasn't gotten a response yet. He will certainly advise if he hears anything.

Chris Tweeten explained that 1 of the opinions requests deals with the misdemeanor probation and pretrial services officers and if POST has the authority to waive the statutory requirements associated with training. The general rule is agencies don't have the authority to waive statutory requirements but there is some language in 44 that gives the Council the authority to waive any standard or qualification.

Chris Tweeten also told the Council that the second opinion requested has to do with POST's responsibilities in respect to the desire by DOC to have POST certify investigative officers working under the offices of the Department of Corrections. Corrections and Justice had been discussing a memorandum of understanding under which these DOC officers would actually be appointed by the Attorney General just as the officer from the Department of Criminal Investigation are. The thinking by the agencies is that if that happens they are eligible to become public safety officers. The problem is, there is language in the AG appointment power statute that seems to limit those appointments to officers or agents that work within the Department of Justice. Chris Tweeten thinks there's a serious question as to whether it has legal legs or not. POST is being requested to certify these officers. POST has asked the AG for a response with respect to whether the AG can appoint DOC employees to be agents within the appointment powers of the AG, or if he can only appoint officers who work for DOJ. POST will wait for the opinion to be issued.

Misdemeanor Probation, Pretrial Services Officers Letter to Kirsten Pabst

Chris Tweeten directed the members to Kirsten Pabst's letter in the meeting materials, page 76. The letter has to do with the information the Council received earlier from Dan Cederberg about misdemeanor probation and pretrial services officers in Missoula County. The letter takes POST to task because the Missoula County Attorney disagrees with POST's interpretation of its responsibilities in respect to these officers. Chris Tweeten's letter of response starts on page 80 in which he takes issue with

some of the things that are in the County Attorney's letter. Most notably, the assertion in the letter that Missoula County is operating its government under a local self-government charter. That would greatly expand Missoula County's power and create a nice issue as to whether the county could hire these officers while disregarding the general requirements of the statute that the officers have to be employed by a local government. He added that, in fact, Missoula County is not a self-governing local government. The last time the issue was put in front of the voters it lost by about 2 1/2 to 1. It's clear that they don't have these self-government powers which eliminates the argument that they aren't bound by the statute.

Chris Tweeten also explained in the letter that POST has a responsibility as a government agency to administer its program bound by statutory requirements. POST has asked the Attorney General if POST is right about that. Until POST receives any guidance from the AG, its position isn't going to change unless the Council wants to provide any different guidance with respect to how we ought to be handling ourselves on this question.

October 29, 2015 Meeting with MCS – Chris Tweeten and Sarah Clerget

Chris Tweeten shared he had been having conversations with Dan Cederberg about this problem and it was suggested that a meeting be arranged between POST staff and staff in the Missoula County Attorney's office to deal with this issue. That meeting was held on October 29, 2015. Chris Tweeten and Perry Johnson were present and Sarah Clerget participated by phone. From the county side, Dan Cederberg, Kirsten Pabst, and Matt Jennings were in attendance. The meeting lasted for a couple of hours in which they batted all these issues back and forth and trying to basically clear the air as to where the respective parties stood on this dispute.

Chris Tweeten told the Council that it became apparent as a result of the conversation at this meeting that POST needed to develop more information regarding the actual status of the MCS employees that they were talking about. They had all received different kinds of training. Some were probation officers, some were pretrial services officers. Some sort of further information identifying the officers that the county believes are authorized to be certified by POST needed to be brought to the surface in order to fully understand what's going on.

Chris Tweeten continued that Perry Johnson has had conversations with some of the staff at MCS and Chris Tweeten had spoken with Dan Cederberg on 3 or 4 occasions since that meeting to try and move the ball forward and clarify those things that needed to be clarified. Three of the MCS staff have been issued certificates and Dan Cederberg is going to get Chris Tweeten information to identify which certificates were issued. MCS is saying that the certificates they received are based on the probation and parole basic course which is what the statute requires. That keys up the question as to whether POST will or has the authority to issue the necessary waivers for the probation officers to qualify them so they can be POST certified as public safety officers for purposes of their services for MCS.

Chris Tweeten shared that the information came in within the last couple of days and Perry Johnson looked at it. Chris Tweeten and Dan Cederberg talked yesterday and Chris Tweeten told him that his understanding of statutes would indicate that MCS

employs pretrial services officers who have received appropriate training and could apply to POST and would get a basic certificate as a pretrial services officer.

The statutes are different for the misdemeanor probation officers. There is specific language for pretrial services officers authorizing contractors with the county to provide those services but that line is absent for misdemeanor probation from the statute. Until the Council has an answer to its ability to waive the employment requirement for probation officers they are still in limbo.

Chris Tweeten encouraged Dan Cederberg to take a look at the administrative regulations and requirements for meeting POST certification and to communicate with the staff and if there are people who are legally eligible to apply for certification, he encouraged them to do so.

Perry Johnson and Sarah Clerget had nothing to add.

Dan Cederberg commented Chris Tweeten encapsulated what has happened correctly. He called POST that morning and Mary Ann Keune emailed him the basic certificate application for the 3 officers who have been through an MLEA basic and he intends to process those applications right away. Two of the officers are working in misdemeanor probation now and one is working in pretrial services. The training is all the same so their position is that they can perform services as either. He did confirm that they have the basic disagreement with POST as to whether the statute prohibits people who work for private nonprofit companies from being certified for misdemeanor probation officers. He thinks they will be on the agenda next time and will let the Council know what their position is in regard to that.

Dan Cederberg knows that Chris Tweeten and Sarah Clerget disagree with the position MCS takes but they think they have a good point as far as the statute doesn't prohibit them from being certified. He shared that the programs are very valuable to the county attorney and the judges and they like and use the program a lot. They would like to work with POST to continue those programs.

Chris Tweeten wanted to make it clear that no one at POST has ever disputed the usefulness and value of the MCS programs. This is simply a legal dispute that everyone is trying to drill through right now.

Perry Johnson remarked that he heard Dan Cederberg say he has 2 privately employed misdemeanor probation officers and one privately employed pretrial services officer. The position Chris Tweeten, Sarah Clerget and he defined to MCS is, at no point has this Council endorsed that it would ever certify private misdemeanor probation. The Council has identified through the statute that it has a responsibility to certify private pretrial. When Dan Cederberg said he is going to put applications in for private misdemeanor the Council should be aware that that is adverse to the position that has been discussed and analyzed for many Council meetings. Perry Johnson told Dan Cederberg that until POST gets further direction from the Council or an opinion from the AG that tells POST they must do something different, this will be the marching orders he received from the Council.

Dan Cederberg acknowledged that there is a disagreement but would like to put their position forward to the Council. MCS appreciates the fact that Chris Tweeten and Perry Johnson don't think this can be worked out but MCS thinks it can and that's the point they want to make to the Council. As far as the pretrial services and misdemeanor folks go, MCS believes since they receive the same training misdemeanor people can be transferred into pretrial services in their job with MCS to get them certified to be doing that. If the misdemeanor probation apply and are denied then they will move them and apply for pretrial services certificates.

Dan Cederberg said after the meeting with POST in October, then they had all their officers stop doing arrests. He reiterated that they want to work through this and try and solve the issue the best way they can, they just have a difference of opinion on one issue that they would like the Council to hear.

John Strandell asked Tony Harbaugh why the Council should discuss the opinion until the AG opinion is issued. He thinks it's a waste of time to do so.

Tony Harbaugh concurs with John Strandell but thinks it doesn't hurt to hear the argument at the next meeting but wait for the AG opinion until a decision can be made. John Strandell recommends not listening to the argument that Dan Cederberg would like to submit and wait for the AG opinion to give the Council direction on where they need to go.

John Strandell made a motion and Kimberly Burdick seconded that the Council hold off placing this item on the agenda until they have further information in the form of an Attorney General's opinion. Kevin Olson said he will abstain from voting since MCS contracts with DOC.

Chris Tweeten told the Council that at the meeting they had with MCS there seemed to be some uncertainty from Kirsten Pabst and possibly others from Missoula as to why POST was taking the position that it took. Part of the meeting was spent dispelling any thoughts that this was something POST was doing lightly or that somehow POST wasn't trying to be a constructive part of the conversation on these questions. He understands that it would take time to hear the argument by MCS at the next meeting but on the other hand it would be a strong demonstration of POST's good faith on this matter if the Council were to agree to hear MCS as an information item not an action item.

Perry Johnson asked Chris Tweeten if this might be an action or a decision already made by the Director that might create a contested case therefore the Council can't hear it.

Sarah Clerget shared if they would be talking about the three officers that could absolutely be the case. Perry Johnson shared that POST has already established some processes in regards to the contested case issues and that there could be an aggrieved party that asks for POST to use the process. It's only after the process is used that the Council gets to hear about the issues. He doesn't know if the Council has already heard too much about it.

Chris Tweeten stated there is a procedure in MAPA through which MCS could make this into a matter that's right for a contested case but they haven't done it at this stage. That procedure would be to file a petition at POST asking for a declaratory ruling on the interpretation of statute and those kinds of declaratory rulings can be the subject of a contested case if the requesting party decides they disagree with the interpretation and want to take the matter further.

Chris Tweeten also added that MCS could also file a declaratory judgment action in district court but he's not inviting them to do that. He cautioned that if the Council decided to hear MCS, MCS shouldn't delve too deeply into the 3 officers because they may become contested cases in front of the Council. He doesn't think there is any harm in hearing what MCS has to say about the difference in interpretation of the statute.

Tony Harbaugh stated he thinks the motion on the floor needs to be addressed and asked if there was any further discussion.

Dan Cederberg stated that he is confused as to what his ability is to discuss this. He doesn't want to be out of order. He said that MCS would be amenable to any kind of restriction on the presentation they would make. They wouldn't create any contested case issues. It's never been their intention, in fact, they specifically decided not to file any lawsuits. They have been in favor of trying to work this out towards a common goal. They thought they were moving down that line based on a presentation they made back in 2013. Recently they learned that they weren't and needed to take a different path in the dispute in regard to whether or not the private employed individuals could be certified as misdemeanor probation officers. They've been working on this issue for a couple of years and would like to continue working with the Council and did feel like being able to speak at the next meeting would be helpful in forwarding that process.

Rich Friedel encouraged the Council to hear what MCS had to say.

Jim Cashell asked for the motion to be repeated.

Joh Strandell repeated the motion. "My motion is that we not place it on the agenda or hear any more information until the Attorney General opinion is issued and gives us clarification."

Jim Cashell called for the question.

Ryan Oster asked if since this wouldn't be an action item there's no way POST could stop them from bringing there discussion to the public comment period. John Strandell told Ryan Oster his motion is because he doesn't want it as an agenda item that they would have to take action on. If they want to have the discussion during the public comment period, John Strandell is fine with that. Ryan Oster said he was a little confused because it sounded like it was just going to be a presentation. John Strandell answered that he thought it goes a bit further than that and that's his concern. They've already said they are going to submit material for consideration on the certification.

Motion carried, all members voting in favor.

Letter to Steve Ette

Perry Johnson directed the Council to page 84 in the meeting materials. He explained this is the letter he has reached out to Steve Ette with to let him know that because of the training issue related to his employee and the application for POST credit for some other training, POST wouldn't recognize the training until the officer is able to get into the basic and gain compliance and regain that status as an officer.

Sarah Clerget warned that this needs to be handled carefully since it has the potential to come back as contested case. She said that the specifics to the case will not be talked about. The subject can only be talked about in the general, hypothetical of how it is moving forward.

Perry Johnson noted that the letter was redacted of any officer's name that may have been affected. This is only an informational item on the agenda but it's the Council's business and he wants them to know where it's going.

Steve Ette thanked Perry Johnson for including the letter. He was concerned as he was looking through the agenda materials and noticed the letter. He hasn't ever received a copy of it but was copied on the letter to the Attorney General. Nor did he receive a copy of the one that went to MCS. He does have them now and appreciates having them and appreciates that the Council moved forward and sent the letter of clarification to the Attorney General. He would like to get the information back from the Attorney General before he responds to the letter Perry Johnson has in the materials addressed to Steve Ette.

Perry Johnson asked Steve Ette if his address is 1709 West College, Bozeman. Steve Ette confirmed the address and said he received the letter about the officer but hadn't received the copies on the other 2 letters. Perry Johnson apologized and said he would work harder on that.

NEW BUSINESS:

Director's Report

Perry Johnson directed the Council to page 86 in their meeting materials. He shared the short syllabus that CDOB uses as a study guide to challenge the CDOB basic. The officer is sent all the information to study. At the end of the basic training the officer travels to Helena to sit and take the final examination. Perry Johnson asked for a motion to approve as the syllabus for CDOB Equivalency.

Katrina Bolger added that Rebecca Guyer-Strait wanted her to share that they send the officer everything but the legal manual.

John Strandell made a motion and Laurel Bulson seconded to approve the syllabus presented as the CDOB Equivalency.

Jim Thomas saw that they get a PPCT Defensive Tactics manual. He stated there is a written test by itself for PPCT and wondered if there are also questions on the final exam about PPCT. Kevin Olson said there are PPCT questions on the final exam.

Motion carried, all members voting in favor.

Training Issues

POST Credit Hours for Teaching Classes

Perry Johnson brought up the subject of POST credit hours for teaching classes. He said POST receives instructor applications for classes that a person participates in where they are actually instructing and they want course credit for that. Perry Johnson doesn't like to give them credit for the class but he wants to be reasonable too. He gave the example of a person who is at an 8 hour class and instructs for 2 hours. He asks for 6 hours of POST credit for the 6 hours he isn't instructing. He would like direction on it.

Laurel Bulson pointed out that its voluntary. He is volunteering to stay.

Jim Thomas thought it's a slippery slope. It reminded him of the Firearms Instructor course where the participant was required to give instruction as part of the requirement to pass the course. Are they going to get credit for a 40 hour week when they were required to give instruction for part of it?

Kevin Olson thought it requires full participation. All the students in that class are required to attend the class to get credit. He said this has been an agenda item for many years. Based upon his years of teaching, when you do teach a course you learn something as an instructor every time. However, he doesn't think the person should get credit for the class when they are teaching part of the class.

Bill Dial recalls that they just gave Perry Johnson a huge raise and that's a decision he should make. He said that the Council has empowered Perry Johnson to be the Director and he should make that decision.

John Strandell shared that he wonders if the person signed up for the training ahead of time and has his name on the roster, if that would make a difference. He used the example of a 40 hour class and the instructor attends the whole thing except for the 2 hours he teaches.

Perry Johnson thinks that Bill Dial is right. The Council has empowered him to make some decisions and that is a business decision. He struggles with some of these things and was looking for some opinions. He said the Council meeting is the venue that he gets to hold this stuff up and get some feedback.

Opened and Advertised

Perry Johnson shared that since he has the discretion to make some of these decisions that point is moot. He is good to go with it and doesn't need any feedback.

Budget Report

Perry Johnson asked the group to turn to pages 87 and 88, the budget report. Page 88 shows where POST is with the accruals from last year. Page 87 shows the budget for this year is \$450,262.00 and POST has expended \$97,740.28. POST is through

just about 50% of the year. There is some contested case exposure out there and that's where a lot of money can be spent.

Legislative Update

Perry Johnson report that this is something that is going to come before the Planning Committee. He put some reminders on the agenda to remind the Council of some of the discussion from the last meeting.

Board of Crime Control

Perry Johnson said the Board of Crime Control issue was discussed at the last meeting and Bill Dial and Jim Cashell both thought it would be a good idea for POST to participate with the BOCC in any decision or any action prior to any legislative movement on our interaction with them or their review of any of POST's cases. Perry Johnson thinks that would be good business but it hasn't happened yet.

Amendment to 44-4-403 MCA

Perry Johnson told the Council that it is some technical wording that would be added. Before he brings it to the full Council it will go before the Business Committee.

Perry Johnson reminded the Council that he has enlisted the help of Kirsten Madsen to review some of the statutes and the interactions they have with the ARMs. He felt like things are moving forward in a productive way. He hoped by the next time the Council meets in March there will be a draft submitted by the Business Plan Committee.

Certificates Awarded

Charles Leonard

Perry Johnson directed the Council to pages 92 in the meeting materials. He reminded the Council that at the last meeting he was directed to reach out and find out about Charles Leonard. POST had no record of it so Perry Johnson reached out to his training officer at Yellowstone County Sheriff's Office. Steve Metzger had recall of the situation and Perry Johnson was able to put it all back together so POST was able to award the certificate.

Perry Johnson shared there were around 220 certificates issued for the quarter and over 1,100 for the year.

Equivalency

Equivalency Request Form

Perry Johnson directed the members to turn to page 99 in the meeting materials. This is an informational item only since the Council does not have to approve all of our forms. This is a work product of Katrina Bolger. For POST's purposes it's a good tool. There are frequent calls by agencies asking if we have a form to use when requesting EQ. Katrina Bolger became aware of it and created a form that will be listed on POST's website.

Request for Reserve Officer Equivalency

Perry Johnson directed the members to page 100 in the meeting materials. These are informational items since the Council empowered the Director to approve EQ and Extension requests.

Perry Johnson pointed out that he granted one DCOB EQ request to Tyler Adams. This is a work product of Katrina Bolger who really works through these issues, takes a look at the backgrounds and makes sure to reach out to other POST agencies to ensure certificates in other states are in good standing.

Extensions

Perry Johnson asked the members to turn to pages 101 and 102 for the extension requests. All 10 of the extension requests were granted.

Perry Johnson asked the members to turn to page 103. John Moore is the Chief of Police in Ennis. At the last Council meeting he asked for an extension. The Council asked Perry Johnson to find out if he was ever paid when he was a reserve officer. Through a series of phone calls it was determined that John Moore had never been paid outside the scope of his vendor business for the city. His extension request was granted.

Office Updates

Sugar CRM

Sugar CRM is the database that POST purchased a year ago in June. Justin Stolp is our project manager and is very consumer oriented. There have been a lot of issues in regards to supporting the database that was purchased. Things are going well now and getting closer to being able to use it.

Death Investigation Class

Perry Johnson directed the members to page 107 to the advertisement for the Death Investigation Class that POST will hold next week in Great Falls at the Cascade Co Sheriff's Officer.

Coroner Basic Class

Perry Johnson told the Council that Bob Edwards, Sheriff from Cascade County and Bob Rosipal will be conducting the training. The statutory requirement is that POST holds the training every other year but this group has held it 4 years in a row.

John Strandell wondered if the civilian coroners have been attending the basic. Perry Johnson said they have been attending. He is hoping to have face to face administrator trainings in the future. Perry Johnson would like to be able to reach out the civilian coroners and let them know what the statutory requirements are and why POST is involved.

Perry Johnson said he has been invited to the Coroner Board meetings. He said they are really interested in POST's involvement. He said Dick Brown, the Fergus County Coroner has been a good partner to POST as well.

Tony Harbaugh reported that he received a call from Sheriff Eades from Fergus County who mentioned his county commission is looking at moving the Coroners Officer in Fergus County into the Sheriff's Office.

Perry Johnson related that in the last couple of months Sweet Grass County moved their coroner into the Sheriff's Office. There are 37 Sheriff/Coroners in the state and 19 Civilian Coroners. He shared that it's important to have Civilian Coroners. Anytime there is an officer involved shooting a Civilian Coroner has to process the case. John Strandell added that it's the same way with jail deaths.

U of M –School of Extended and Lifelong Learning

Perry Johnson reported that Roger McLean is the Dean of the School of Extended and Lifelong Learning. He invited Perry Johnson to a meeting along with an instructor named Lily White. They are in Missoula and are interested in putting together an online curriculum that may meet the need of the ongoing 16 hours of continuing education requirement for death investigations for coroners. They are also interested in putting together an online training that may meet the needs for the coroner basic. Perry Johnson really liked the discussion with the university and thinks there is an opportunity for POST to review that lesson plan. It has been done with the University Of North Dakota already.

Facebook-Newsletter

Perry Johnson put it on the agenda to let the Council know he hasn't forgotten it. He would like to be able to say there is a newsletter in the hopper but he doesn't have one.

Perry Johnson shared that he attended the Interim Law and Justice on Monday. He likes to attend the meetings to hear what's being talked about and be in the room a little bit. Next year POST is going to be in the room with a legislative package and could be better received if we have an opportunity to talk after the meeting informally with those committee members.

Perry Johnson wanted everyone to know what a big deal it is to have 13 members present for the meeting and all the stakeholders who call in and come to the meetings. He appreciates everyone participating.

COMMITTEE REPORTS:

ARM Committee: ~ Bill Dial ~ Perry Johnson is going to arrange a meeting with Bill Dial.

Coroner Committee: ~ Jim Cashell ~ Nothing new

Case Status Committee ~ John Strandell ~ Explained what the committee does

Curriculum Committee: ~ Jim Thomas ~ Nothing new

Business Plan/Policy Committee: ~ Kimberly Burdick ~ Nothing new

Kevin Olson suggested moving public comment to the end of the agenda. He said most boards have the public comment period at the end and thought it would be a wise business decision. Katrina Bolger explained that public comment was moved to the beginning of meetings because that part of the meeting has to be at the time it appears on the agenda. If the Council finishes a meeting early, the Council members would have to stay around until it's time for public comment so the public knows when to be there.

Bill Dial made a motion and John Strandell seconded to adjourn the meeting.

Submitted by
Mary Ann Keune
MAK
2/17/16

DRAFT

Johnson, Perry

From: Rich <rich@friedelllc.com>
Sent: Friday, November 27, 2015 3:25 PM
To: Johnson, Perry
Subject: RE: Montana POST Council
Attachments: Stillwater Tactical Probation Classes(CBR).docx

Importance: High

Sorry for the late email but we had to review this first step. Please find attached our Basic draft of our private class offerings. We are also reviewing the present Mt Law and can speak to that if you would like in next weeks POST meeting. I look forward to next week.

Thanks,
Rich Friedel
Friedel, LLC
406-794-8282

----- Original Message -----

Subject: Montana POST Council
From: "Johnson, Perry" <PJohnson@mt.gov>
Date: Wed, November 18, 2015 7:32 am
To: "'rich@friedelllc.com'" <rich@friedelllc.com>

Rich,
Good morning!

The next POST Council meeting is set for a telephone conference on December 2, 2015 at 9:00 a.m.

POST Council Telephone Conference Meeting

December 2, 2015, 9 a.m.

Telephone conference call: 866-576-7975

Participant access code: 612394

Helena, Montana

I am wondering if you have any information you would like to share with the Council or if there is anything that I can do to assist you with your efforts re training or legislative?

Please let me know if or how we can help!

Thanks and have a great day!

Perry Johnson, Executive Director

Montana Public Safety Officer Standards and Training Council

2260 Sierra Road East

Helena, Montana 59602

(406) 444-9976 Desk

(406) 444-9978 Fax

(406) 475-5524 Cell

Stillwater Tactical is a Tactical Training Company owned and operated by Military and Law Enforcement Personnel with over 100 years of combined Law enforcement experience. Our organization includes SWAT Team Commanders, High Risk Warrant Task Team leaders, Law Enforcement Snipers as well as firearms instructors certified with the NRA and POST in Montana and North Dakota. Stillwater Tactical has a modern training facility located near Molt, Montana. Stillwater also has the ability to contract with certified chemical or TASER instructors.

Active Shooter

Hours: 4

Instructor: Stillwater Tactical (Law Enforcement Personnel)

Course Description: This program is designed to teach the student a proper response to an “active shooter” situation minimizing risk and loss of life. Further time will be given to situations, history of active shooter scenarios, the evolution of active shooter strategies post-Columbine and the more recent evolutions post-Beslan.

Chemical Agents

Hours:4

Instructor: Stillwater Tactical (Certified Chemical Instructor)

Course Description: The program is a familiarization with chemical agents, particularly OC based defense spray. This Course will include classroom instruction and a practical exercise.

Civil Rights

Hours: 4

Instructor: Attorney (Active Member of the Montana State Bar)

Course Description: This Course will provide instruction on Civil Rights Laws ranging from the 14th Amendment to the Civil Rights Acts to the ADA act. Further covering protected classes, semi-protected classes and discussing potential liability as both a private individual and as a State actor.

Constitutional Law

Hours: 4

Instructor: Attorney (Active Member of the Montana State Bar)

Course Description: Discussion on the Constitutional rights of persons involved with P&P, the duties and obligations of a Parole Officer.

Court Room Testimony

Hours: 4

Instructor: Attorney/ Judge

Course Description: This Course provides instruction on testifying in Court including how to properly perform direct and cross examination.

Dangerous Drugs

Hours:4

Instructor: Stillwater Tactical (Law Enforcement Drug Expert)

Course Description: This course familiarizes the student with the drugs common in Montana, their use and effects as well as the medical issues of drug use.

Deadly Encounters

Hours:4

Instructor: Stillwater Tactical

Course Description: Scenario based training exposing the student to real life situations where deadly use of force has been used. Stillwater Tactical utilizes StressVests and Simunitions where appropriate to provide realistic stimulus based training.

Defensive Tactics (including Control Principals and Human Factors)

Hours:32

Instructor: Stillwater Tactical (Defensive Tactics Instructor)

Course Description: This course covers hand to hand and melee combat training from a POST certified Defensive Tactics instructor as well as introduction to various other techniques ranging from jiu-jitsu, aikido, kenpo, and MCMAP.

Ethics

Hours: 6

Instructor: Attorney/ Judge

Course Description: This course covers the legal and ethical obligation involved in Probation and Parole activities. Including how ethical behavior is the foundation of a professional environment.

Firearms Course Objectives and Shooting Instructions

Hours: 2

Instructor: Stillwater Tactical (NRA or POST certified instructors)

Course Description: Overview of the training objectives and a focus on safe handling of firearms.

Firearms Mental Preparation

Hours:2

Instructor Stillwater Tactical (NRA or POST certified Instructors)

Course Description: This course covers the mental preparation necessary for the proper safe use of a firearm in a defensive shooting scenario, including theoretical discussions from David Grossman's Killology.

Firearms Nomenclature

Hours: 2

Instructor: Stillwater Tactical

Course Description: This course covers the nomenclature and function of the individual parts of a handgun.

Firearms Mechanics

Hours: 2

Instructor: Stillwater Tactical

Course Description: This course teaches the basic mechanics of proper handgun handling and beginning to develop muscle memory for sighting, loading/reloading, immediate/remedial actions, and drawing the weapon.

Firearm Range Training

Hours: 40

Instructor: Stillwater Tactical (NRA or POST certified instructors)

Course Description: Weapon training and skill development in how to effectively carry, use, and care for a weapon as a Law Enforcement Officer. The student will have to effectively display skills in a variety of areas, including but not limited to: Stationary target, moving target, multiple target, daytime engagement, nighttime engagement, rapid fire, body armor drills, firing from cover/concealment, and off hand engagement. This Course will conclude with testing protocol.

Judgements

Hours: 2

Instructor: Attorney/ Judge

Course Description: This course provides a review of court judgments and the vernacular used by the courts and what each of these terms means as applied to the duties of a P&P officer.

Legal Issues

Hours: 2

Instructor: Attorney/ Judge

Course Description: This course is an overview of the officer's responsibilities regarding confidentiality and privacy of all involved parties. Further discussion on search and seizure, arrest, interrogation, warrants, and jurisdictional issues.

Legal Issues Pertaining to Use of Force

Hours: 4

Instructor: Attorney/Judge

Course Description: This course covers the legal issues related to the use of force and the State Federal laws governing the Use of Force.

Legal Liability

Hours: 4

Instructor: Attorney/Judge

Course Description: This course covers the potential legal liabilities, including negligent supervision, analysis of potential liability, review of prior cases, and their effect on the duties of a P&P Officer.

Montana Codes Annotated Criminal Law

Hours:4

Instructor:Attorney/Judge

Course Description: A basic overview of applicable criminal laws and procedures and how to use the code book to locate and reference the laws.

Montana Court Systems

Hours:2

Instructor: Judge/Attorney

Course Description: A basic overview of the Criminal Justice System and its proceedings.

Personal Protection

Hours:2

Instructor: Stillwater Tactical

Course Description: This course provides a basic familiarization with personal protection through situational awareness. Particular focus will be provided on security at the workplace, home, and travel. As well as techniques to avoid and protect oneself in potentially dangerous situations.

Room Clearing

Hours 8 classroom

Instructor: Stillwater Tactical (Law Enforcement & prior Military)

Course Description: This course will cover multiple techniques for room entry and clearing. Emphasis on entry training including multiple person stacks and the use of cover and contact officers and the communication between them. This will culminate with use of the StressVest[™] to allow simulated confrontations.

Search Techniques

Hours: 4

Instructor: Stillwater Tactical (Law Enforcement and prior Military)

Course Description: This Course instructs on how to search a subject and area incident to arrest with the appropriate use of contact and cover officers. This course will culminate with training using the StressVest[™] technology to allow simulated confrontations.

Sentencing

Hours: 4

Instructor: Attorney/ Judge

Course Description: This Course provides a General overview of general sentencing concepts and the specific provisions related to the duties of a Parole and Probation Officer.

Situational Awareness

Hours: 2

Instructor: Stillwater Tactical (Law Enforcement)

Course Description: This course provides an overview of officer safety and application of situational awareness. Including how situations escalate, warning signs, and procedures to avoid escalating or minimizing the risk in these situations.

TASER

Hours: 8

Instructor: Stillwater Tactical (TASER certified Instructor)

Course Description: This course is the TASER approved training program from carrying and using a TASER device.

Use of Force Scenario Training

Hours: 16

Instructor: Stillwater Tactical (Law Enforcement)

Course Description: This course will include classroom discussion and scenario based training on use of force situations. This course will apply Defensive tactics, contact and cover, and simulated firearm usage through force on force confrontations.

Verbal Defense and Influence

Hours: 8

Instructor: Stillwater Tactical (Law Enforcement)

Course Description: This Course will teach the student basic techniques to verbally de-escalate potentially hazardous situations through the use of techniques similar to “Verbal Judo”™

182 hours (?) PJ

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8 **BEFORE THE PUBLIC SAFETY OFFICER STANDARDS**
9 **AND TRAINING COUNCIL, STATE OF MONTANA**

10 **IN THE MATTER OF THE**
11 **REVOCATION OF THE CERTIFICATES** }
12 **OF JUSTIN STOKES** }

Case No. 13-22

13 **PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW,**
14 **AND RECOMMENDATION OF THE**
HEARING EXAMINER TO POST COUNCIL

15 It is the recommendation of this undersigned Hearing Examiner that the
16 POST Council permanently revoke any and all of the POST Certificates held by
17 Justin Stokes for the reasons set forth below.

18 The undersigned has heard nothing from Mr. Stokes since the original
19 scheduling/status conference in this matter on August 5, 2015. Mr. Stokes has
20 failed to respond to discovery requests and this Hearing Examiner's Order to
21 Compel. Now pending is a Motion for Summary Judgment filed by Contested Case
22 Counsel for the Montana Public Safety Officer Standards and Training Council
23 (POST), filed on November 20, 2015. Mr. Stokes did not file a response, and POST
24 filed a Notice of Submittal on December 9, 2015. Even in cases where there is not a
25 timely response filed, the Montana Supreme Court has held that the essential
26 question for deciding a summary judgment motion is whether a genuine issue of
27 material fact exists that cannot be decided on a merely technical fact (like failing to

1 file timely responsive briefs). *See cases cited infra, section II(A)*. Therefore, the
2 undersigned recommends that the POST Council substantively rule on POST's
3 summary judgment motion that, based on the record, there is no genuine issue of
4 material fact and POST is subject to judgment as a matter of law.

5 Additionally and alternatively, the undersigned recommends that default
6 judgment be entered against Mr. Stokes because of his repeated failure to appear or
7 respond during the course of this proceeding and his disregard for the orders of the
8 undersigned, pursuant to POST ARM 23.13.705(4).

9 Based upon the record and POST's Motion for Summary Judgment, the
10 undersigned hereby submits the following to the full POST Council:

11 **I. FINDINGS OF FACT**

12 **A. Background**

13 1. Mr. Stokes was at all times relevant herein a public safety officer in
14 the State of Montana who received certification from POST.

15 2. Mr. Stokes received Public Safety Communicator Basic Certificate
16 #233 on February 16, 2006; Intermediate Certificated #2662 and Advanced
17 Certificate #2641 on August 19, 2010; Law Enforcement Officer Basic Certificate
18 #4643; and Coroner Basic Certificate #1318 on December 14, 2012.

19 3. On March 23, 2015, POST Executive Director Perry Johnson filed a
20 "Notice of POST Action and Opportunity for Hearing," revoking Mr. Stokes's
21 POST certificates.

22 4. The Notice alleged violations of ARM 23.13.702(a), (g), (h), and (k).¹
23 The violations of ARM 23.13.702(g) included violations of ARM 23.13.203(3), ¶¶ 6
24 and 9.

25 5. Mr. Stokes filed his request for a hearing on April 21, 2015.

26
27 ¹ POST made several amendments to its ARMs, which became effective on
December 12, 2015. All reference to ARMs are to the prior, 2008 version of those
ARMs unless otherwise indicated.

1 **B. False Report**

2 6. On November 16, 2008, Stokes made a report with the Conrad Police
3 Department by faxing a handwritten and signed statement to the Department.
4 Exhibit 1.²

5 7. In that statement, Mr. Stokes indicated that his “estranged wife,”
6 Leanne Curry, assaulted Mr. Stokes at the Keg restaurant while he was holding his
7 daughter, causing him injury and causing him to be fearful of verbal and physical
8 abuse. Exhibit 1.

9 8. Mr. Stokes wrote in his statement that Ms. Curry “hit the back of my
10 neck” and “yanked” him backwards by “grabbing ahold of the hood of my
11 sweatshirt.” *Id.*

12 9. Mr. Stokes also wrote in his statement that “I bit the inside of my lip
13 when she yanked backwards...” *Id.*

14 10. Mr. Stokes also wrote that he was “in fear that Leanne was going to
15 pull me off balance making me fall to the ground possibly injuring my daughter or
16 me.” *Id.*

17 11. Mr. Stokes wrote that “I am fearful. Leanne has been verbally abusive
18 in the past, and now she is getting physical with me.” *Id.*

19 12. On or about November 17, 2008, Mr. Stokes signed a second
20 statement, which was later provided to the Conrad Police Department, that there had
21 been a “misunderstanding” at the Keg and that “no harm was threatened or incurred
22 by either party.” *Id.*

23 13. Chief Gary Dent prepared a Supplemental Report regarding the
24 incident which stated, “The issue now is the filing of a false report by Mr. Stokes.”
25 *Id.*

26
27 ² References to Exhibits are to POST’s Exhibits attached to its brief in support of its
Motion for Summary Judgment.

1 14. Regardless of which statement is true or why the statement was made,
2 both statements Mr. Stokes made to the Conrad Police Department cannot be true.
3 Therefore, I find that Mr. Stokes was dishonest with the Conrad Police Department
4 regarding events on November 16, 2008.

5 **C. Testimony and Statements Regarding False Report**

6 15. Mr. Stokes testified under oath on March 31, 2011, in an unrelated
7 matter. Exhibit 3.

8 16. During Mr. Stokes's testimony, he was provided a copy of, and took
9 time to read and review, the above-referenced Conrad Police Department police
10 reports and his written and signed statements regarding the incident at the Keg.
11 Exhibit 3 at Tr. pp. 24:13-27:1.

12 17. An attorney also read to Mr. Stokes the portion of the Conrad Police
13 report where Conrad Chief of Police Gary Dent indicates that Mr. Stokes filed a
14 false report with the Conrad Police Department. Exhibit 3 at Tr. p. 25:20-26:3.

15 18. Stokes testified that he knew "that Chief Gary Dent had considered
16 charging [him] with making a false report to law enforcement" and that Chief Dent
17 had "contacted the Teton County attorney Keith Van Settin" about it. Exhibit 3 at
18 Tr. pp. 23:25-24:06.

19 19. In response to the attorney's question: "There is a difference between
20 signing a document that says the event didn't occur and agreeing not to go forward
21 with the prosecution; wouldn't you agree?" Mr. Stokes testified "oh yes." Exhibit 3
22 at Tr. pp. 23:20-23:24.

23 20. When asked about his second written and signed statement, which
24 denies the assault at the Keg, Mr. Stokes testified that his attorney advised him to
25 sign the second statement. Exhibit 3 at Tr. p. 56:7-20.

26 21. During the hearing, the judge questioned Mr. Stokes's testimony about
27 his attorney advising him to lie. Exhibit 3 at Tr. pp. 115:13-116:2.

1 22. The judge stated that he knew the attorney at issue, and he “can’t
2 imagine” that she would advise a client to “say that what you said isn’t true, as
3 opposed to let’s withdraw the complaint.” *Id.*

4 23. Because of that questionable testimony, as well as other ambiguities in
5 Mr. Stokes’s testimony, the judge stated that, regarding Mr. Stokes’s testimony, “it
6 leads me to believe that the veracity and the integrity of the testimony is in
7 question.” *Id.*

8 24. On June 25, 2013, Mr. Stokes testified under oath during a different,
9 also unrelated, child custody hearing in his divorce proceedings with his second
10 wife, Andrea Bengtson. Exhibit 4.

11 25. During that testimony, Mr. Stokes testified under oath that he “did not
12 know that Chief Dent did” accuse Mr. Stokes of filing a false report. Exhibit 4 at
13 Tr. p. 146:1-4.

14 26. On June 13, 2014, POST staff interviewed Mr. Stokes and during that
15 interview Mr. Stokes again indicated that he had never seen the reports from the
16 Conrad Police Department. Exhibit 5.

17 27. During his POST interview on June 13, 2014, Mr. Stokes was in
18 uniform and on duty. Exhibit 5.

19 28. In his June 20, 2014, letter to POST, Mr. Stokes stated a third time
20 that he had never seen the reports from the Conrad Police Department. Exhibit 14 at
21 p. 3, ¶ 2.

22 29. I find that Mr. Stokes has lied on the stand, on duty, and to POST
23 regarding whether or not he saw a copy of the false reports he made to the Conrad
24 Police Department.

D. Explanation of Benefits and Diagnosis

30. During the June 25, 2013, child custody hearing, an Explanation of Benefits (EOB) was introduced and admitted as Exhibit 1. Exhibit 4 at Tr. pp. 2, 12:6-18:9.

31. Mr. Stokes's attorney read from the EOB in Exhibit 1 during Ms. Bengtson's testimony. That exhibit stated that Stokes had been diagnosed with an "unspecified Episodic Mood Disorder." Exhibit 4 at Tr. pp. 17:23-18:3.

32. In POST's initial allegation letter of October 23, 2013, POST indicated that there was an allegation against Mr. Stokes that he had "a known diagnosed psychological disorder referred to as 'episodic mood disorder.'" Exhibit 16 at 1.

33. In his November 10, 2013, response to POST's initial allegation letter, Mr. Stokes stated that he was "never diagnosed [] with episodic mood disorder" and attached an EOB, which he purported to be the EOB at issue "in the June 25, 2013 child custody hearing." Exhibit 6 at p. 3, ¶ 4.

34. The EOB Mr. Stokes sent to POST (and represented to POST was the EOB used in the June 25, 2013, hearing) is not the EOB that was used in the June 25, 2013, hearing.

35. The EOB Mr. Stokes provided to POST does not contain the words "episodic mood disorder" in it anywhere, which were the words Mr. Stokes's attorney read in court out of Exhibit 1 at the hearing on June 25, 2013, at which Mr. Stokes was present. Exhibit 4 at Tr. pp. 17:23-18:3.

36. Regardless of what diagnosis Mr. Stokes received, I find that Mr. Stokes provided a different EOB to POST than that which was introduced at the June 25, 2013, hearing in order to willfully mislead POST regarding his mental health diagnosis.

E. Tax Returns

37. On May 30, 2014, Mr. Stokes testified under oath at a different hearing regarding his divorce from Ms. Bengtson to establish a parenting plan and child support. Exhibit 7.

38. Mr. Stokes's finances, including his tax return, were directly at issue in the hearing. *Id.*

39. During that testimony, Mr. Stokes was asked "have you filed a 2013 tax return?" to which Mr. Stokes responded "Yes, I did." Exhibit 7 at Tr. p. 2:8-10.

40. After some discussion about whether Mr. Stokes could go home and provide the return, the court asked Mr. Stokes, "Had you filed your oh three—or your 2013 tax returns?" to which Mr. Stokes responded "It was mailed in, yes." Exhibit 7 at Tr. pp. 4:25-5:3.

41. The court went on to ask specific questions about if Mr. Stokes filed state and federal returns, and how they were prepared with Mr. Stokes providing specific answers. Exhibit 7 at Tr. p. 5:4-17.

42. The court then went into a recess for Mr. Stokes to go home and try to locate a copy of those returns that Mr. Stokes stated he filed. Exhibit 7 at Tr. p. 7:11-18.

43. Mr. Stokes did not locate or provide copies of his 2013 tax returns during the hearing. Ex. 7.

44. During POST's September 16, 2014, interview with Mr. Stokes, Mr. Stokes stated that he did not file his 2013 tax returns. Exhibit 8 at pp. 37-38.

45. During his September 16, 2014, interview, Mr. Stokes was attending a training at the Montana Law Enforcement Academy. Exhibit 8.

46. When confronted with his prior testimony during the hearing, Mr. Stokes stated he meant that he had filed an extension. Exhibit 8 at pp. 33-37.

1 47. It was not until a different hearing, on December 22, 2014, that Mr.
2 Stokes provided a copy of his 2013 tax returns to the court. Exhibit 9.

3 48. On the return provided to the court, the date of Mr. Stokes's signature
4 has been redacted with a black mark. Exhibit 9 at p. 2.

5 49. The tax transcript that POST received from the IRS indicates that Mr.
6 Stokes filed his 2013 tax return on October 13, 2014—over four months after the
7 May hearing in which he testified that he had already filed it. Exhibit 10.

8 50. I find that Mr. Stokes lied under oath about filing his tax return, he
9 lied to POST about why he testified falsely about it while he was on duty at a
10 training, and he continued to keep up the deception with the district court by
11 blacking out the date on which he signed his return when he finally did file it.

12 **F. This Proceeding**

13 51. In Mr. Stokes's April 21, 2015, letter requesting a hearing in this
14 proceeding, Mr. Stokes stated: "I had sent POST Director Perry Johnson a letter in
15 February requesting additional time..., which POST Director Perry Johnson
16 apparently denied. I had not received the letter, but learned that a letter was sent to
17 the Glacier County Sherriff's Office couple [sic] weeks ago from POST Director
18 Perry Johnson, it was sent to my former employer, the Glacier County Sheriff's
19 Office and not me personally." Exhibit 17.

20 52. On February 11, 2015, POST received a letter requesting an extension
21 from Mr. Stokes, which was dated February 9, 2015. Exhibit 11.

22 53. The return address on Mr. Stokes's February 9, 2015, letter was 28 6th
23 Ave. SE, Cut Bank, Montana 59427. Exhibit 11.

24 54. On February 12, 2015, POST sent a letter granting Mr. Stokes's
25 extension request in part to Mr. Stokes personally at 28 6th Ave. SE, Cut Bank,
26 Montana 59427. Exhibits 5, 12, 13.

1 55. POST's February 12, 2015, letter was signed for on February 17,
2 2015. Exhibit 13.

3 56. POST sent its Notice of POST Action in this matter to Mr. Stokes on
4 March 23, 2015, at the address of 28 6th Ave. SE, Cut Bank, Montana 59427. *See*
5 Notice of POST Action. Mr. Stokes has never indicated that he did not receive that
6 Notice, and responded to the Notice on April 21, 2015. Exhibits 19 and 17.

7 57. I find that Mr. Stokes lied to this tribunal regarding POST Executive
8 Director Perry Johnson's actions with regard to his correspondence with Mr. Stokes.

9 58. Additionally, POST filed a Motion to Compel on October 22, 2015,
10 detailing Mr. Stokes's failures to respond to discovery requests.

11 59. The undersigned granted the Motion to Compel and ordered Mr.
12 Stokes to respond to POST's discovery requests by December 4, 2015.

13 60. Mr. Stokes never responded to POST's discovery requests.

14 61. Mr. Stokes also never responded to POST's Motion for Summary
15 Judgment, or POST's Notice of Submittal.

16 62. Mr. Stokes did not appear, in person or by telephone, for the final
17 prehearing conference which was scheduled for December 28, 2015, at 9 a.m. He
18 did not respond when the undersigned and counsel for POST attempted to reach him
19 by phone on that date.

20 **II. CONCLUSIONS OF LAW**

21 **A. POST Law**

22 The POST Council has enacted Administrative Rules of Montana (ARMs) to
23 effectuate the legislative mandate to "provide for... the suspension or revocation of
24 certification of public safety officers" in Montana. Montana Code Annotated § 44-
25 4-403(1)(c); A.R.M.s 23.13.101-721. ARM 23.13.702 specifically outlines the
26 "Grounds for Sanction, Suspension, or Revocation" of POST Certification applied
27 to Stokes' conduct in this case. ARM 23.13.702; *see also* Notice of POST Action.

1 First, subsection (2)(a) of ARM § 23.13.702 mandates that “willful
2 falsification of material information in conjunction with official duties” is a ground
3 for revocation or suspension. Second, subsection (2)(g) states that “willful violation
4 of the code of ethics set forth in these rules” will be a ground for suspension or
5 revocation.

6 The code of ethics adopted by POST and applicable to Mr. Stokes is set forth
7 in ARM 23.13.203(3). The relevant portions of the code include: paragraph six, in
8 which an officer swears that: “I will not engage in nor will I condone any acts of
9 corruption, bribery, or criminal activity; and shall disclose to the appropriate
10 authorities all such acts. I will refuse to accept any gifts, favors, gratuities, or
11 promises that could be interpreted as favor or cause me to refrain from performing
12 my official duties”; and paragraph nine, in which an officer swears that: “I will at
13 all times ensure that my character and conduct is admirable and will not bring
14 discredit to my community, my agency, or my chosen profession.”

15 Third, subsection (2)(h) of ARM § 23.13.702 states that “other conduct or a
16 pattern of conduct which tends to significantly undermine public confidence in the
17 profession” can be a grounds for suspension or revocation

18 Fourth and finally, subsection (2)(k) of ARM 23.13.702 mandates that “acts
19 that are reasonably identified or regarded as so improper or inappropriate that by
20 their nature and in their context are harmful to the employing authority’s or officer’s
21 reputations, or to the public’s confidence in the profession” form the grounds for
22 suspension or revocation of a POST certification.

23 Violation of any one of these subsections of ARM 23.13.702 (or ARM
24 23.13.203 to which it refers) constitutes grounds for POST to revoke Mr. Stokes’s
25 POST certification.
26
27

1 **B. Summary Judgment Burden**

2 The purpose of summary judgment is to encourage judicial economy through
3 the prompt elimination of questions not deserving of resolution by trial. *Harland v.*
4 *Anderson*, 169 Mont. 447, 450, 548 P.2d 613, 615 (1976). Summary judgment is
5 proper when no genuine issues of material fact exist and the moving party is entitled
6 to judgment as a matter of law. Rule 56(c), Mont. R. Civ. P.; *also see Cecil v.*
7 *Cardinal Drilling Co.*, 244 Mont. 405, 409, 797 P.2d 232, 234 (1990).

8 The initial burden of proof is on the moving party, here POST, to establish
9 that no genuine issues of material fact exist and it is entitled to judgment as a matter
10 of law. *Westmont Tractor Co. v. Continental I, Inc.*, 224 Mont. 516, 521, 731 P.2d
11 327, 330 (1986). After the moving party has met its burden, the burden then shifts
12 to the party opposing the motion, here Mr. Stokes, to establish the existence of a
13 genuine issue of material fact or no entitlement to judgment as a matter of law.
14 *Sprunk v. First Bank System*, 252 Mont. 463, 466, 830 P.2d 103, 104 (1992).
15 Montana Rule of Civil Procedure 56(e)(2) also states that “When a motion for
16 summary judgment is properly made and supported, an opposing party may not rely
17 merely on allegations or denials in its own pleading; rather, its response must -- by
18 affidavits or as otherwise provided in this rule -- set out specific facts showing a
19 genuine issue for trial. If the opposing party does not so respond, summary
20 judgment should, if appropriate, be entered against that party.”

21 Although Rule 2(b) of the Montana Rules of Civil Procedure provides that
22 failure to file a brief by the moving party is considered an admission that the motion
23 is without merit and the motion is well taken, the Montana Supreme Court has held
24 that the essential question for deciding a summary judgment motion is whether a
25 genuine issue of material fact exists that cannot be decided on a merely technical
26 fact (like failing to timely file a responsive brief). *Cole v. Flathead County*, 236
27 Mont. 412, 771 P.2d 97 (1989), followed in *SVKV. L.L.C. v. Harding*, 2006 MT

297, 334 M 395, 148 P.3d 584 (2006). See also *Konitz v. Claver*, 1998 MT 27, 287 Mont. 301, 954 P.2d 1 138; *Miller v. Goetz*, 2014 MT 150, ¶ 13, 375 Mont. 281, 284, 327 P.3d 483, 485. Therefore, the undersigned (and ultimately the POST Council) must make a substantive finding, based on the existing record, even Mr. Stokes has failed to respond to POST's motion for summary judgment. *Id.*

C. Findings

The undersigned finds that there is no issue of material fact concerning the many lies told by Mr. Stokes and that POST is entitled to judgment as a matter of law because those facts clearly constitute violations of POST ARMs 23.13.702 and 23.13.2013 and therefore establish sufficient grounds for the permanent revocation of Mr. Stokes's POST certificates.

The undisputed evidence shows that Mr. Stokes has lied, repeatedly, and often under oath. POST has provided documentary evidence in the form of court transcripts, an interview transcript, police reports, United States Postal Service records, IRS documents, affidavits, and Mr. Stokes's own written statements to POST; all of which show a pattern of dishonesty.

Any one of the comparisons POST has provided—Mr. Stokes's inconsistent testimony in particular—would be enough to show that Mr. Stokes's lies have “significantly undermine[d] public confidence in the profession” and been “harmful to the employing authority's or officer's reputation” in Glacier County. ARM 23.13.702(2)(a), (h), (k). When combined with all of the other documented occurrences of perpetuating falsehoods and dishonesty there is more than sufficient evidence to show how Stokes's pattern of “falsification” has affected the public perception of law enforcement. For these reasons, POST is entitled to judgment as a matter of law that Stokes's conduct violated ARM 23.13.702(2)(h) and (k).

Thus, POST has met its burden to show that there is no genuine issue of material fact. It is clear from the evidence that Stokes has displayed a pattern of

1 “willful falsification.” Several of these lies were told while he was on duty and in
2 uniform. And even the lies that were told while off duty were still in conjunction
3 with his official duties, as the transcripts of his testimony make it clear that the fact
4 he was a police officer was important to his testimony and was used in an attempt to
5 boost his credibility. POST is therefore entitled to judgment as a matter of law that
6 Stokes’s conduct has violated subsection (2)(a) of ARM 23.13.702.

7 Lying in this way has also clearly brought “discredit to [Mr. Stokes’s]
8 community, [Mr. Stokes’s] agency, or [Mr. Stokes’s] chosen profession” in
9 violation of the code of ethics, outlined in ARM 23.13.203(3), ¶ 6. Because Mr.
10 Stokes has violated the code of ethics, he has also violated subsection (2)(g) of
11 ARM 23.13.702, which states that any willful violation of the code of ethics
12 constitutes a grounds for revocation of POST certification. POST is therefore also
13 entitled to judgment as a matter of law that Mr. Stokes has violated subsection 2(g)
14 of ARM 23.13.702.

15 Additionally and alternatively, POST ARM 23.13.705(4) states that “A
16 respondent's failure to respond, appear, or otherwise defend a notice of agency
17 action of which the respondent has had notice, may result in the hearing examiner
18 finding the officer in default and entering an order against the officer containing
19 findings of fact, conclusions of law, and an opinion... .” Mr. Stokes’s continued
20 failure to respond or participate in this proceeding, and his disregard for the orders
21 of the undersigned, also constitutes grounds for default judgment in favor of POST
22 under ARM 23.13.705(4).

23 **III. RECOMMENDATION**

24 The purpose of summary judgment is to encourage judicial economy through
25 the prompt elimination of questions not deserving of resolution by trial. *Harland*,
26 169 Mont. at 450, 548 P.2d at 615. It is obvious that Stokes’s behavior violates the
27 standards of conduct for public safety officers in Montana. Therefore, this question

1 is not deserving of resolution by trial, and summary judgment in favor of POST is
2 proper. Default judgment against Mr. Stokes based on his failure to appear,
3 respond, and abide by the orders of the undersigned is also proper.

4 IT IS HEREBY RECOMMENDED that summary judgment be granted to
5 POST, the default judgment be entered against Mr. Stokes, and that any and all of
6 Mr. Stokes's POST certificates remain permanently revoked.

7 IT IS FURTHER RECOMMENDED that the hearing in this matter be
8 vacated.

9 Pursuant to ARM 23.13.719 (2015), an adversely affected party may submit
10 exceptions to this decision within 15 days of this decision. Such exceptions should
11 be filed with, and any other issues arising in this matter should be addressed to
12 general counsel for the POST Council:

13 Chris Tweeten
14 Tweeten Law, PLLC
15 101 W. Artemos
Missoula, MT 59803

16 This matter will be heard by the full Council at its next regularly scheduled
17 meeting on March 2, 2016, at 10 a.m.

18 DATED this 21st day of December, ²⁰¹⁶~~2015~~.

19
20 
21 MARK MURPHY
Hearing Examiner
22
23
24
25
26
27

Johnson, Perry

From: COPS, IADLEST, and SAI <jessdrake=sai-dc.com@mail170.suw12.mcsv.net> on behalf of COPS, IADLEST, and SAI <jessdrake@sai-dc.com>
Sent: Wednesday, February 10, 2016 1:39 PM
To: Johnson, Perry
Subject: REMINDER: An Invitation to the FORUM on Training and Certification in Law Enforcement



REMINDER: Response requested by Monday, February 15, 2016

Dear Perry Johnson,

The Office of Community Oriented Policing Services (COPS Office) in partnership with the International Association of Directors for Law Enforcement Standards and Training (IADLEST) and Strategic Applications International (SAI), is pleased to invite you or your designee to participate in a FORUM on Training and Certification in Law Enforcement. The FORUM will be held on March 21, 2016 in Washington DC at the Washington Plaza Hotel.

The goal of the FORUM is to have an IADLEST representative from each state participate in the all-day facilitated discussion on the role of the Police Standards and Training organizations in the implementation of the President's Task Force on 21st Century Policing. The FORUM will focus on recommendations that are specific to the basic recruit and advanced training for law enforcement and on a number of relevant topics including the National Decertification Data Base. Link to the Task Force report:

www.cops.usdoj.gov/pdf/taskforce/TaskForce_FinalReport.pdf.

IADLEST is contributing to agenda development and will provide leadership in the follow up of implementation strategies that grow out of the input provided by participants.

The COPS Office will fund the travel for you or your designee. **Please RSVP to Jessica Drake at jessdrake@sai-dc.com by February 15, 2016** so the participant list can be finalized and travel arrangements made far enough in advance of the event. SAI will book and pay for your travel directly so please do not make any arrangements individually. Process your travel through SAI.

We look forward to having IADLEST members and leadership from all 50 states together for this important discussion and action planning session. We appreciate the critical role you each play in setting the foundation for effective policing.

Best Regards,



Ronald L. Davis
Director

Johnson, Perry

From: Mike Becar <mikebecar@iadlest.org>
Sent: Tuesday, February 2, 2016 3:23 PM
To: Directors@lists.iadlest.org
Cc: jcopplesai-dc.com; 'Roger Goldman'
Subject: [directors] Save the Date, Forum for IADLEST POST Directors in March

Directors:

Last month I sent an email asking you to Save the Date, for a forum for POST Directors on 21st Century Policing and the President's Task Force Recommendations. After returning from meetings in Washington DC, I wanted to update you on what I have learned.

Jim Copple from SAI has received a grant to put together this forum in conjunction with Ron Davis from the COPS Office, who chaired the President's Task Force. This will be a roundtable meeting to discuss the task force recommendations and what the State POSTS are doing or need to do to address many of these recommendations. The input from this forum will help shape law enforcement training well into the 21st century.

The grant will pay for the POST Director, or his/her designee, from each state to attend the forum in Washington DC on March 21st, 2016. There is only enough funding for one person from each state to attend. Jim will be sending additional information to all of you shortly, but I promised you this follow-up when I returned from DC.

Jim Copple has been cc'd on this email and can answer specific questions if you have them, and the information he will send you shortly will have all the forms and instructions for travel arrangements, etc.



Mike

Michael N. Becar, Executive Director
International Association of Directors of Law Enforcement
Standards and Training (IADLEST)
1330 N Manship Pl
Meridian, ID 83642
Phone (208) 288-5491
FAX (800) 783-6438
Cell (208) 559-4751
Email: mikebecar@iadlest.org
Web Site: www.IADLEST.org



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NATIONAL LAW ENFORCEMENT ACADEMY RESOURCE NETWORK

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From: IADLEST 2016 Conference <yvonne@iadlest.org>
Sent: Thursday, January 28, 2016 11:53 AM
To: Johnson, Perry
Subject: Invitation to the International Association of Directors of Law Enforcement Standards and Training 2016 Conference



International Association of Directors of Law Enforcement Standards and Training 2016 Conference

Dear Guest,

You are invited to the International Association of Directors of Law Enforcement Standards and Training (IADLEST) 2016 Conference on Sunday, June 5-8, 2016.

IADLEST is known for being the catalyst for law enforcement improvement; and each year, the annual conference showcases this commitment by focusing on the most pressing issues for training managers and executives.

This year, the IADLEST Conference will be held in Grand Rapids, Michigan. Join fellow Law Enforcement Executives, Training Managers, POST Directors and Academy Directors for the following highlights:

- Keynote Speakers/Panel Discussion
- Training tracks include the latest innovations on training and technology as well as specifically designed training tracks for POST Directors, Academy Directors and Law Enforcement Trainers.
- Scheduled round-table discussions to exchange ideas and experiences regarding standards, certifications, and course development.
- Social activities, such as the Welcome Reception, Main Dinner Event (Offsite) to include the Special Olympics fundraiser live auction.
- State of the art products- Over 20 companies, organizations and government agencies exhibit their latest products, services, programs, and/or publications
- Networking- This event only happens once a year, so don't miss your opportunity to network with some of the state's leading law enforcement standards and training directors, academy managers, and trainers throughout the Nation!

Hope to see you there!

IADLEST 2016 Conference

When

Sunday, June 5, 2016 - Wednesday, June 8, 2016

Where

Amway Grand Plaza Hotel
187 Monroe Ave NW, Grand Rapids, Michigan 49503, USA USA

Dress Code

Business Casual

[View Event Summary](#)

[View Event Agenda](#)

Registration Deadline

Friday, May 20, 2016

Please respond by clicking one of the buttons below



Having trouble with the link? Simply copy and paste the entire address listed below into your web browser:

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Dear Guest,

You are invited to the International Association of Directors of Law Enforcement Standards & Training (IADLEST) 2016 conference June 5-8, 2016. This will be a great event and we hope to see you there. IADLEST is known for being the catalyst for law enforcement improvement; and each year, the annual conference showcases this commitment by focusing on the most pressing issues for training managers and executives. Check out the agenda to see all the great training tracks being offered! Hope to see you there!! Please register by clicking the register now button at the top or bottom of this page. We are looking forward to hearing from you.

Sincerely,

IADLEST 2016 Conference

.....

Details

When.....

Sunday, June 5, 2016 - Wednesday, June 8, 2016

8:00 AM - 5:00 PM

Mountain Time

Where.....

Amway Grand Plaza Hotel

187 Monroe Ave NW

Grand Rapids, Michigan 49503

USA

(616) 774-2000

Planner.....

IADLEST 2016 Conference

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Conference Registration Item**Conference Registration****Attendee Registration Fee**
\$450.00

Discounted Price

\$400.00

If Registered By

Sunday, May 1, 2016

Refund Policy

No Refunds

Exhibitor**\$1,200.00**

Discounted Price

\$1,100.00

If Registered By

Sunday, May 1, 2016

Refund Policy

No Refunds

Guest**\$200.00**

Discounted Price

\$175.00

If Registered By

Sunday, May 1, 2016

Refund Policy

No Refunds

Speaker/Presenter**\$350.00**

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\$300.00

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Refund Policy

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Booth Registration and Sponsorship Selection**Exhibitor Booth****Exhibitor Booth**

\$1,100.00

Full Page Ad in IADLEST Conference Program**Full Page Ad**

\$750.00

Half Page Ad in IADLEST Conference Program**Half Page Ad in Conference Program**

\$500.00

Main Conference Sponsor**Main Conference Sponsorship Fee**

\$25,000.00

Welcome Reception Sponsor**Welcome Reception Sponsor Fee**

\$10,000.00

Lunch Sponsor**Lunch Sponsor Fee**

\$8,000.00

AM/PM Break Sponsor**AM/PM Break Sponsor Fee**

\$2,500.00

Conference Main Event**Conference Main Dinner Event (Co-Sponsor)**

\$10,000.00

Conference Main Dinner Event (Exclusive Sponsor)

\$20,000.00

Co-Sponsor

Co-Sponsor Fee
\$10,000.00

Conference Registration Bags

Conference Registration Bags Fee
\$3,000.00

Name badge holders

Name badge holders Fee
\$800.00

Check Address

Checks Payable to: IADLEST

Mailing Address: 1330 N. Manship Place Meridian, Idaho 83642

Agenda

Sunday, June 5, 2016

10:00 AM - 1:00 PM	Attendee and Vendor Registration
1:00 PM - 4:00 PM	IADLEST Committee meetings/Executive Board Meetings
6:00 PM - 10:00 PM	Vendors set up

Monday, June 6, 2016

7:00 AM - 9:00 AM	Attendee Registration
8:00 AM - 10:00 AM	Opening Ceremonies
8:30 AM - 10:00 AM	Keynote Speakers/Panel Discussion
10:00 AM - 10:30 AM	Break
10:30 AM - 12:30 PM	Keynote Speakers/Panel Discussion
12:30 PM - 1:30 PM	Lunch with vendors
1:45 PM - 3:45 PM	Broken Mirror Theory
1:45 PM - 3:45 PM	Developing & Validating Physical Fitness
1:45 PM - 3:45 PM	Training 21st Century Police Officers
3:45 PM - 4:00 PM	Break with vendors
6:30 PM - 9:30 PM	Evening Dinner Event B.O.B (Special Olympics live auction will be during)

Tuesday, June 7, 2016

8:00 AM - 10:00 AM	Central Regional meeting
8:00 AM - 10:00 AM	Midwest Regional meeting
8:00 AM - 10:00 AM	NE Regional meeting
8:00 AM - 10:00 AM	South Regional meeting
8:00 AM - 10:00 AM	West Regional meeting
10:00 AM - 10:15 AM	Break

10:15 AM - 12:30 PM	Business meeting
12:30 PM - 1:30 PM	Lunch With Vendors
1:40 PM - 2:40 PM	Truck & Bus Enforcement Training
1:40 PM - 2:40 PM	What Brain Science Tells Us About Police Training
2:45 PM - 3:45 PM	The National Certification Program Raising the Bar for Criminal Justice
3:45 PM - 4:00 PM	Break
5:00 PM - 6:00 PM	Vendors tear down

Wednesday, June 8, 2016

8:30 AM - 10:30 AM	International Spotlight-Round Table with POST & Academy Directors
11:00 AM - 12:30 PM	Colorado Marijuana Laws
11:00 AM - 12:30 PM	Evidence Based Training: How Do We Know What We Think We Know?
11:00 AM - 12:30 PM	Wisconsin Law Enforcement Academy Expansion & Restructure Process
1:30 PM - 3:30 PM	Academy Directors Round Table Discussion
1:30 PM - 3:30 PM	POST Directors Round Table Discussion
1:30 PM - 3:30 PM	Trainers Round Table Discussion
3:45 PM - 4:45 PM	Effective Use of Action Cameras
3:45 PM - 4:45 PM	Fit for Duty Vs. Fit for Training
3:45 PM - 4:45 PM	Transforming Interactions Between Police & Youth

Lodging Information

Amway Grand Plaza



With a stay at Amway Grand Plaza, you'll be centrally located in Grand Rapids, steps from DeVos Performance Hall and minutes from Grand Rapids Art Museum. This 4-star hotel is within close proximity of Van Andel Museum Center and Public Museum of Grand Rapids.

**Attendees are responsible for making their own room reservations. The group room rate of \$139.00 (plus tax) will be available until May 8, 2016 or until the room block is sold out, whichever applies first. **

Reservations

Click [here](#) to reserve online

Call: 1-(800) 253-3590

Meeting Name: IADLEST 2016 Conference

Hotel Address

187 Monroe Avenue NW

Grand Rapids, Michigan 49503

Distance To/From Airports

- Grand Rapids: 12.6 miles
- Detroit: 155 miles
- Chicago Midway: 178 miles

40-hour Online Death Investigation Course

Understanding Justice & Science

Accreditation, Adversarial system, Anthropometry/Bertillonage, Certification, Civil law, Criminal law, Criminalistics, Cross-examination, Defendant, Direct examination, Fallibilism, Felony, Finder of facts, Generalists, Grand jury, Jurisdiction, Locard's exchange principle, Misdemeanor, Plaintiff, Private laboratories, Prosecution, Prosecutorial bias, Public laboratories, Scientific method, Specialist, Subpoena, Trier of fact, *Voir dire*

Understanding Evidence: Origins, Types, & Admissibility

Admissible evidence, Associative evidence, Circumstantial evidence, Class-characteristic evidence, *Daubert* hearings, *Daubert* trilogy, Direct evidence, Exculpatory evidence, Exemplar, Federal Rules of Evidence, Forensic evidence, *Frye* standard, general acceptance, Gatekeeper, Identification evidence, Inculpatory evidence, Individual characteristics, Reconstruction evidence, Rules of evidence

What is a Death Investigation?

Death scene roles, Autopsy, Blunt force trauma, Cause of death, Coroner, Equivocal death, Forensic pathologist, Forensic pathology, Manner of death, Manual strangulation, Mechanical trauma, Mechanism of death, Medical examiners, Questionable death, Sharp force trauma, Sudden death, Thermal trauma, Firearms and blast trauma

Arriving at the Death Scene

Introduce and Identify Self and Role, Exercise Scene Safety, Confirm or Pronounce Death, Participate in Scene Debriefing (With attending Agency Reps), Conduct Scene "Walk Through", Establish Chain of Custody, Follow Laws (Related to the Collection of Evidence: **MCA 46-4-111 Coroner's authority to seize & preserve evidence**), Investigative Tools & Equipment, Understand Bias and how to prevent it

Death Scene Investigation, Documentation, & Evaluation

Scene Perimeter, Photograph Scene, Develop Descriptive Documentation of the Scene, Establish Probable Location of Injury or Illness, Collect, Inventory, and Safeguard Property and Evidence, Interview Witness(es) at the Scene, Scene management, mapping & sketching, Micro and Macro crime scene, Every Scene/Every Time, Maintaining orderly paperwork/paper trails & Logs, Types of Death Scenes

Documenting & Evaluating the Body

Photograph the body, Abraded, Algor mortis, Asphyxia, Carbon monoxide, Carboxymyoglobin, Contact wounds, Contusion, Cyanide, Defibrillatory, Diatoms, Distance determination, Distance gunshot wound, Hematoma, Hollow-point bullets, Homeostasis, Hyoid bone, Hyperthermia, Hypothermia, Incised wounds, Inframammary incision, Kinetic energy, Lacerated, Lead snowstorm, Ligature, Livor mortis, Naïve consumers, NASH, Near-contact wounds, Necropsy, Oxyhemoglobin, Penetrating gunshot wound, Perforating gunshot wound, Poration, Porphyrin, Rigor mortis, Stippling, Strap muscles, Tattooing, Tetany, Trauma Analysis, Ventricular fibrillation, Superficial External Body Examination, Preserve Evidence on the Body, Establish Decedent Identification

Ante-, Peri-, & Postmortem Changes

Forensic Anthropology, Forensic Entomology, Odontology, Taphonomy

Death Scene Debriefing

NOK Procedures, Cultural Sensitivity, Security of Remains, Discovery History & Terminal Episode History, Establishing & Recording Decedent Profile/Biological Profile, Medical/Mental/Social Health History, Maintain Jurisdiction over the Body, Perform Exit Procedures, Assist the Family, CISM

Preparing for Court

Coroner inquest, Ethical Duties & Responsibilities, How to be an Expert Witness

Behavioral Science & the Future of Death Investigations

Actus reus, Competency, Crime scene staging, Diminished capacity, Disorganized offenders, Dissimulation, Insanity, Internally inconsistent, Malingering, McNaughten rules, *Mens rea*, Modus operandi (MO), Organized offenders, Overkill, Personality inventories, Premeditation, Profiling, Projective tests, Psycholegal, Psychological autopsies, Psychological testing, Sexual

psychopath laws, Signature, Simulation, Souvenir, Thematic Apperception Test (TAT), Trophy, Victimology

Johnson, Perry

From: Rosipal, Bob <broshipal@cascadecountymt.gov>
Sent: Thursday, February 18, 2016 3:49 PM
To: Johnson, Perry
Subject: RE: Conference and Online Program Plans

Good afternoon Perry, hope all is well. I reviewed the UM 40-hour basic coroner stuff you sent me. It looks like good training. Only one critique I have would be there is too much information for a BASIC course. Now having said that, it seems new coroners are overwhelmed coming to our basic program. When we add the scenarios, it puts everything together for the student. I think some stuff listed under the "documenting & evaluating the body" can be confusing to someone with little or no experience (hard to say because I haven't see the presentation). Also, getting into the "Ante-, Peri-, & Postmortem changes". We as coroner's will call someone to come do these types of things for us. Last, the "Behavioral Science & the Future of Death Investigations". Wow.... These topics would be great things to learn in coroner recertification classes.

I think it's funny that Lilly White wanted to attend the basic coroner class and requested the agenda to see what is being taught. I might take some of her stuff and put it in mine. Lol

In conclusion, I think if someone sits on the computer for 40 hours of training on this class, then they should get POST credit. But how much information would they retain and / or use? If you have any questions for me, or would like to discuss it further, please contact me anytime.

Respectfully,
Bob

Lt. Bob Rosipal
Cascade County Sheriff / Coroner's Office
3800 Ulm N. Frontage Road
Great Falls, MT 59404
406-454-8095 (desk)
406-799-6461 (cell)
406-454-6948 (fax)
broshipal@cascadecountymt.gov



From: Johnson, Perry [mailto:PJohnson@mt.gov]
Sent: Wednesday, February 03, 2016 12:57 PM
To: Rosipal, Bob <broshipal@cascadecountymt.gov>
Subject: FW: Conference and Online Program Plans

*Perry Johnson, Executive Director
Montana Public Safety Officer Standards and Training Council
2260 Sierra Road East
Helena, Montana 59602
(406) 444-9976 Desk
(406) 444-9978 Fax
(406) 475-5524 Cell*



From: Johnson, Perry
Sent: Thursday, January 28, 2016 11:54 AM
To: Bob Rosipal (brosipal@cascadecountymt.gov) <brosipal@cascadecountymt.gov>; Cascade SO/Bob Edwards (bedwards@cascadecountymt.gov) <bedwards@cascadecountymt.gov>
Subject: FW: Conference and Online Program Plans

Gentlemen,

Good morning to the both of you!

Would you please take a few minutes and take a look at the message below and the attachments provided with this email?

I have had good conversations with Roger, the Dean of the school and Lily White, an adjunct professor.

I think they have a good idea here and it would provide an option for some of the coroners in Montana to obtain their training, especially those in the far flung regions of the state.

I would like to visit with you fellows before I make any decisions, I appreciate your insights and your dedication to the coroner training.

Thanks and have a great day!

*Perry Johnson, Executive Director
Montana Public Safety Officer Standards and Training Council
2260 Sierra Road East
Helena, Montana 59602
(406) 444-9976 Desk
(406) 444-9978 Fax
(406) 475-5524 Cell*



From: Maclean, Roger [<mailto:roger.maclean@mso.umt.edu>]
Sent: Tuesday, November 24, 2015 1:47 PM
To: Johnson, Perry <PJohnson@mt.gov>
Cc: Teresa White <headtohead@earthlink.net>
Subject: Conference and Online Program Plans

Good afternoon Perry. I have attached three documents for your review. The first is a draft layout for the 40 hour basic online course. We would run this on a semester basis so that participants have a deadline to submit. We find with an expected deadline that the completion rate is higher. The second attachment is a draft plan for the 2 day summer conference and the final document is a list of possible topics we could develop for the 16 hour continuing education requirement. Please let us know what questions you may have as well as any other thoughts. Safe travels through the snow and have fun on Thanksgiving! I have copied Lilly on this email if she wishes to add anything else.

Roger

Roger Maclean, D.Ed.
Dean
University of Montana
School of Extended & Lifelong Learning
Todd 306
32 Campus Dr. MS 1728
Missoula, MT 59812
roger.maclean@umontana.edu
(406) 243-2983
www.umt.edu/sell



School of Lifelong Learning (SELL) Medicolegal Death Investigation Conference Missoula, Montana

Thursday, June 2016

- 0630-0750: Breakfast
- 0750-0800: Greetings & Opening Announcements
- 0800-0900: Who's Who at the Scene?
- 0900-1000: Mass Disasters/Multiple Fatalities/DMORT
- 1000-1015: Morning Break
- 1015-1115: Bloodstain Pattern Analysis
- 1115-1215: Trauma Analysis (sharp force, blunt force, firearms & blast trauma)
- 1215-1300: Lunch
- 1300-1400: Arson, Fire, & Explosives
- 1400-1500: Body & Scene Photography
- 1500-1515: Afternoon Break
- 1515-1715: Entomology, Forensic Anthropology, Odontology
- 1715-1730: Closing Remarks

Friday, June 2016

- 0630-0750: Breakfast
- 0750-0800: Greetings & Announcements
- 0800-0900: Cold Case Studies/Court Cases
- 0900-1000: Deaths in Custody
- 1000-1015: Morning Break
- 1015-1115: Cause of Death
- 1115-1215: Manner Of Death
- 1215-1300: Lunch
- 1300-1400: "Body Farms"
- 1400-1500: Forensic Science & The Courtroom
- 1500-1515: Afternoon Break
- 1515-1715: Crime Scene Reconstruction
- 1715-1730: Closing Remarks

Advanced Medicolegal Death Investigation Topics/Modules

Scene & Body Photography

Disposition of Unclaimed/Unidentified Human Remains/Forensic Artistry

Forensic Anthropology

Forensic Entomology

Forensic Biology/Forensic Chemistry

Bloodstain Pattern Analysis

Questioned Documents

Forensic Engineering

Behavioral Science

Body Donation/Organ and Tissue Procurement

Autopsy/External Examination

Trauma Analysis

Identifying Abuse Victims

Forensic Odontology

Forensic Psychiatry

Forensic Nursing/Pharmacology

Forensic Jurisprudence

Scene Mapping/Forensic Computing

Manner, Cause, and Mechanism of Death

Mass Fatalities and DMORT

Identifying Human Diseases/Anatomy

Ballistics/Criminalistics/Other Forensic Sciences

Social and other Media Interactions/Professionalism

Forensic Pathology

Deaths in Custody

Evidence Collection

Cultural Sensitivity/Next of Kin Notification

Solving Cold Cases

Arson, Fire, & Explosives

Coping Mechanisms for 1st Responders

Johnson, Perry

From: Johnson, Perry
Sent: Monday, November 30, 2015 8:52 AM
To: 'Maclean, Roger'
Cc: 'headtohead'
Subject: RE: Conference and Online Program Plans

Roger,

Good morning!

I am back in the office this week and will review the material you presented as time allows. I have a full schedule for the next couple of weeks, so please don't worry if I don't respond immediately.

Thanks and have a great day!

*Perry Johnson, Executive Director
Montana Public Safety Officer Standards and Training Council
2260 Sierra Road East
Helena, Montana 59602
(406) 444-9976 Desk
(406) 444-9978 Fax
(406) 475-5524 Cell*



From: Maclean, Roger [mailto:roger.maclean@mso.umt.edu]
Sent: Tuesday, November 24, 2015 1:47 PM
To: Johnson, Perry <PJohnson@mt.gov>
Cc: Teresa White <headtohead@earthlink.net>
Subject: Conference and Online Program Plans

Good afternoon Perry. I have attached three documents for your review. The first is a draft layout for the 40 hour basic online course. We would run this on a semester basis so that participants have a deadline to submit. We find with an expected deadline that the completion rate is higher. The second attachment is a draft plan for the 2 day summer conference and the final document is a list of possible topics we could develop for the 16 hour continuing education requirement. Please let us know what questions you may have as well as any other thoughts. Safe travels through the snow and have fun on Thanksgiving! I have copied Lilly on this email if she wishes to add anything else.

Roger

Roger Maclean, D.Ed.
Dean
University of Montana

School of Extended & Lifelong Learning
Todd 306
32 Campus Dr. MS 1728
Missoula, MT 59812
roger.maclean@umontana.edu
(406) 243-2983
www.umt.edu/sell

Johnson, Perry

From: Maclean, Roger <roger.maclean@mso.umt.edu>
Sent: Tuesday, September 29, 2015 2:32 PM
To: Johnson, Perry
Cc: headtohead
Subject: Death Investigation Program

Good afternoon Mr. Johnson. I have not had the pleasure of meeting you but hope that we can possibly connect later in October. I am the Dean of Extended Learning at UM and I have been working with Lilly White, who is an adjunct forensic anthropologist instructor to develop a hybrid certificate program to meet the needs of new and continuing coroners to achieve the required 40 hours while following the NIJ principals for death investigations. I initially connect with AG Fox and he had interest in the idea and suggested I contact Phil Kinsey at the MT Crime Lab and he also expressed interest. Since then we have also connected with Rick Layng, Lee Johnson, and Bob Rosipal, who recommended we connect with you. We are looking at a 24 hours asynchronous online program that would cover all of the NIJ guidelines in alignment with your current training. We also have ideas on how we can link this with your two day FTF conference that would focus on hands-on demonstrations with assessments. We do not want to step on anyone's area and are approaching this with the idea to partner with POST in a way that is acceptable to you. Lilly will be attending a program in Grand Junction, CO, October 6-8 and we wonder if we could have a discussion with you via phone or we can also come to Helena and meet with you at your office. I have copied Lilly so she can add anything I may have missed.

We would appreciate any time you might be available. Thank you for your consideration.

Roger

Roger Maclean, D.Ed.
Dean
University of Montana
School of Extended & Lifelong Learning
Todd 306
32 Campus Dr. MS 1728
Missoula, MT 59812
roger.maclean@umontana.edu
(406) 243-2983
www.umt.edu/sell

C 406-835-0126

Dictionary

Log In ([http://app.dictionary.com/login/core?](http://app.dictionary.com/login/core?source=header_core&log)

<http://dictionary.reference.com/browse/asynchronous>)s=t)

Thesaurus (<http://www.thesaurus.com/browse/asynchronous>)

(<http://dictionary.reference.com/>) Translate ([http://translate.reference.com/translate?](http://translate.reference.com/translate?query=asynchronous)

(<http://twitter.com/dictionary>)

follow Dictionary.com

query=asynchronous)

More...

asynchronous

asynchronous

(<http://static.sfdict.com/static/wordoftheday/A0771500.mp3>)

[ey-**sing**-kruh-nuh s]

Spell Syllables

Word Origin

adjective

1. not occurring at the same time.
2. (of a computer or other electrical machine) having each operation started only after the preceding operation is completed.
3. *Computers, Telecommunications.* of or relating to operation without the use of fixed time intervals (opposed to synchronous) (<http://dictionary.reference.com/browse/synchronous>)

Origin of asynchronous

1740-1750

1740-50; a-

(<http://dictionary.reference.com/browse/a->)⁶⁺

synchronous

(<http://dictionary.reference.com/browse/synchronous>)

Related forms

asynchronously, adverb

Dictionary.com Unabridged

Based on the Random House Dictionary, © Random House, Inc.

anomia (<http://dictionary.reference.com/wordoftheday>)

(<http://dictionary.reference.com/wordoftheday>)

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Difficulty index for asynchronous

Few English speakers likely know this word

Word Value for asynchronous

0

22

Scrabble

Words With Friends

Related Words

Johnson, Perry

From: Maclean, Roger <roger.maclean@mso.umt.edu>
Sent: Tuesday, September 29, 2015 3:46 PM
To: Johnson, Perry
Cc: headtohead
Subject: RE: Death Investigation Program

Thank you for your quick response. That would be perfect. I will be out of the office October 30-November 12 but I am otherwise available.

Roger

Roger Maclean, D.Ed.
Dean
University of Montana
School of Extended & Lifelong Learning
Todd 306
32 Campus Dr. MS 1728
Missoula, MT 59812
roger.maclean@umontana.edu
(406) 243-2983
www.umt.edu/sell

From: Johnson, Perry [mailto:PJohnson@mt.gov]
Sent: Tuesday, September 29, 2015 3:41 PM
To: Maclean, Roger
Cc: headtohead
Subject: RE: Death Investigation Program

Roger,

Good afternoon!

Thank you for the message and including POST in the discussion about the training needs of Montana's Coroners.

I am going to be out of the office from October 1 returning on October 19.

Could we possible set up a time when I return to continue this discussion?

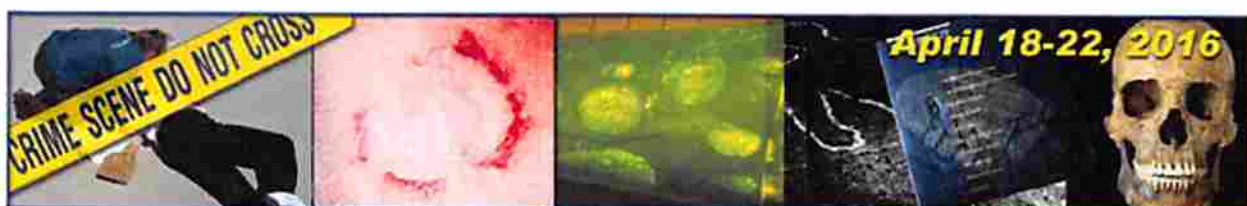
Thanks again and have a great day!

*Perry Johnson, Executive Director
Montana Public Safety Officer Standards and Training Council
2260 Sierra Road East
Helena, Montana 59602
(406) 444-9976 Desk
(406) 444-9978 Fax
(406) 475-5524 Cell*

Courses

Overview - Saint Louis University, Department of Pathology, 39th Year of Medicolegal Death Investigator Training Course - April 2016

Monday, April 18, 2016 - Friday, April 22, 2016, MO



Medicolegal Death Investigators Training Course

Beginning in January 2016, our new course format includes interactive workshops on Death Scene Investigation and Child Death Investigation. Registrants will also be able to submit cases for the daily "Bring Your Own Cases" segment (Cases must be submitted in advance - additional details forthcoming).

The **ORIGINAL** Medicolegal Death Investigator Training Course providing high quality death investigator training since 1978. Now in our 39th year!

Offered three times each year, this five (5) day program teaches individuals how to conduct scientific, systematic and thorough death scene and telephone investigations for Medical Examiner and Coroner offices.

This training is equally valuable to police officers, physicians, nurses, emergency medical personnel, attorneys, forensic scientists and others who are involved with the investigation of violent, suspicious or unexpected deaths that fall under the jurisdiction of medicolegal authorities.

The purpose of this course is to train individuals to fill a critical role in medicolegal offices. With training offered at Saint Louis University, medicolegal death investigators learn to develop the essential facts regarding the death scene, medical history, and other information that assists the Medical Examiner/Coroner in the determination of a person's cause and manner of death.

The course is designed to teach the 29 national guidelines as set forth in the National Institutes of Justice 1999 publication, *Death Investigation: A Guide for the Scene Investigator*.

The objective of this course is to provide the medicolegal death investigator with the necessary knowledge and technical skills to perform competent medicolegal death investigations. The investigator will then be instructed in the proper way to disseminate the information to forensic scientists and law enforcement personnel so that a coordinated, efficient, and complete death investigation can be achieved.

At the conclusion of the course, students will be assessed as to knowledge gained. This course

emphasizes the medical aspects of death investigation and is not designed to be a homicide seminar.

Completion of this course qualifies the attendee to participate in the Master's Courses, a series of advanced death investigation conferences.

This is a training course, not a certification program.

ABMDI Registry Exam

This course meets all *educational* requirements **to prepare** to take the ABMDI registry exam. For those who have taken prior steps toward ABMDI certification, Saint Louis University will provide an opportunity to take the ABMDI registry exam at the conclusion of this MLDIC Basic Course. The exam will be offered on Friday, 04/22/16, 11:00 am - 4:00 pm. For additional information and requirements for ABMDI certification, please check ABMDI.org.

For additional information and details regarding the Medicolegal Death Investigator Training Course, please view our website:

<http://medschool.slu.edu/mldi/>

COLLEGE CREDIT NOW AVAILABLE!

Attendance at this conference qualifies for 2 hours of college credit through Saint Louis University for those currently enrolled and pursuing a graduate or undergraduate degree and are interested in obtaining additional college credit toward their degree.

To help offset the additional cost of college tuition for the 2 hours of college credit, there is a limited number of reduced MLDI Conference Student Registration Fee of \$300.00 being offered for those who qualify.

If you are interested in obtaining college credit for attending this course and would like to receive the reduced student conference rate, please submit a letter of request, on appropriate school letterhead, from your advisor or department chair stating that this course would be beneficial to your studies and would be accepted toward your degree. Fax to the SLU CME Office at 314-977-4533 or scan and email to cme@slu.edu. Please be sure to include your email address.

After your school letter has been received and reviewed, we will email you a MLDI Conference Student Registration Form. Completed forms may be returned by mail (with payment), fax, or email; and you will be invoiced for the balance due.

Separate registration with Saint Louis University for college credit will be completed on the first day of the conference, and you will be billed for the college tuition fees.

[Click here](#) for additional information on SLU College Credit; for any questions or to express your intent to ENROLL for college credit, please contact Barb Weekley at bweekley@slu.edu.

The course is held at the Hyatt Hotel:

Hyatt Regency St. Louis at The Arch

**315 Chestnut St
St Louis, MO 63102**

Register

Objectives

The purpose of this course is to train individuals to fill a critical role in medicolegal offices. With the training program offered at Saint Louis University, medicolegal death investigators learn to develop the essential facts regarding the death scene, medical history, and other information that assists the Medical Examiner/Coroner in the determination of a person's cause and manner of death.

The objective of this course is to provide the medicolegal death investigator with the necessary knowledge and technical skills to perform competent medicolegal death investigations. The investigator will then be instructed in the proper way to disseminate the information to forensic scientists and law enforcement personnel so that a coordinated, efficient and complete death investigation can be achieved.

The purpose of the Medicolegal Death Investigator Training Course is to provide information and training in current forensic methods to improve the quality of medicolegal death investigation in the United States.

Objectives:

This course is designed to

- Prepare the investigator to conduct thorough and systematic death scene and telephone investigations which, by law, are under the jurisdiction of a medicolegal office; to then disseminate the investigative information to departmental forensic scientists to achieve a coordinated, efficient and complete death inquiry.
- Teach capabilities of ancillary forensic sciences (anthropology, biology, criminalistics, entomology, psychiatry, radiology and toxicology) will be explained.
- Place emphasis to the medical aspects of death investigation.

Registration

Register

This course is designed for medicolegal death investigators, coroners, law enforcement officers, physicians, nurses, emergency medical personnel, attorneys, forensic scientists, and others who are involved in the investigation of violent, suspicious, and unexpected deaths.

Fee includes all course materials on a flash drive, textbook: **The Medicolegal Death Investigator**, post-course assessment with individual results reported, Welcoming Reception (Sunday evening, April 17), and Course Dinner (Wednesday evening, April 20) and one Continuing Education Certificate.

Each individual registering for the course must be registered with a **unique email address** and registration fees must be paid in full before conference begins. The first 100 PAID registrations will be accepted; any unpaid registrations will be wait-listed. We will notify you approximately one month

before the course if your wait-listed/unpaid registration will be accepted. If registration fee is to be paid by an organization, municipality, or county check, we must receive a purchase order or other documentation verifying that payment will be made, in order to hold your registration; please contact us at cme@slu.edu with this information.

MLDI Basic Course Attendee: \$850

Fee includes one Continuing Education Certificate. Click on the Accreditation Tab to view the continuing education credits approved for this conference. Participants will be required to complete a form at the conference indicating the type of continuing education desired. It is the responsibility of the participant to understand their board's requirements for continuing education credits.

Additional CE credit/certificate: *If more than one type of Continuing Education credit is desired, an additional \$25 fee will be collected.*

SLU and Other Full-time college students registered in a relevant course of study are invited to attend this January training at the reduced fee of \$300.00 (must register with collegiate email address). This fee includes course materials and dinner. Limited space is available at this level.

ADDITIONAL Course Dinner Party Guest(s): \$50 each *(Dinner is included in the Registration Fee for the Participant ONLY; additional Dinner Guest Ticket(s) can be purchased, but cannot be refunded if not needed)*

*Cancellations received before March 18, 2016, will be issued a refund, **minus a \$100.00 administrative fee.***

*After March 18, 2016, no refunds will be issued; however, if you notify us five days prior to the beginning of the course that you are unable to attend, your payment can be transferred to a future course **one** time only. If you choose to transfer more than one time, you will be charged an additional Administrative Fee of \$100.00 per transfer.*

If you fail to notify us five days prior to the course that you cannot attend the course, your registration fee will be forfeited and will not be transferable to a future course.

The course is held at the Hyatt Hotel:
Hyatt Regency St. Louis at The Arch
315 Chestnut St
St Louis, MO 63102

Click link below to download/print the agenda for this course.

[MLDI April 2016 Schedule](#)



Faculty

[Mary E. Case, MD](#)

Professor and Co-Course Director, Professor and Co-Director Forensic Education - Dept of Pathology - St. Louis, MO

[Patrick Clifford, JD](#)

Associate Circuit Judge - 21st Judicial Circuit - St. Louis, MO

[Mary Fran Ernst, F-ABMDI](#)

Medicolegal Death Investigator - St. Louis County Medical Examiner Office - St. Louis, MO

[Gary Fournety, MA](#)

Homicide Detective - Retired - St. Louis County Police Department - St. Louis, MO

[Michael A. Graham, MD](#)

Chief Medical Examiner - City of St. Louis Medical Examiner - St. Louis, MO

[Erik Hall, MFS](#)

Criminalist, Crime Laboratory - St. Louis Metropolitan Police Department - St. Louis, MO

[Kathleen L. Hargrave, D-ABMDI](#)

Chief Investigator - St. Charles, Jefferson & Franklin Counties M.E.O. - St. Louis, MO

[Julie A. Howe, MBA, D-ABMDI](#)

Medicolegal Death Investigator - St. Charles, Jefferson & Franklin Counties M.E.O. - St. Charles, MO

[Kevin Lawson, Lieutenant](#)

Lieutenant - St. Louis County Police Department - Clayton, MO

[Chris Long, PhD](#)

Assistant Professor of Pathology and Pharmacology - Saint Louis University School of Medicine - St. Louis, MO

[Gershom Norfleet, MD](#)

Assistant Medical Examiner - Franklin, Jefferson, St. Charles and St. Louis Counties M.E.O. - St. Louis, MO

[Aaron Oge, DMD](#)

Forensic Odonologist - St. Louis City and St. Louis County Medical Examiner's Offices - St. Louis, MO

[Tara M. Rick, F-ABMDI](#)

Medicolegal Death Investigator - Office of Medical Examiner, City of St Louis - St. Louis, MO

[Kamal D. Sabharwal, MD](#)

Assistant Medical Examiner - Franklin, Jefferson, St. Charles and St. Louis Counties M.E.O. - St. Louis, MO

[MariaTeresa A. Tersigni-Tarrant, PhD, D-ABFA](#)

Associate Professor - Center for Anatomical Science and Education, Director of Morgue and Human Anatomy Lab Operations; Adjunct Associate Professor, Department of Pathology, Director of Forensic Education - Saint Louis University, School of Medicine-Center for Anatomical Science and Education CASE) - St. Louis, MO

[Lindsay H. Trammell, PhD, D-ABDMI](#)

Forensic Anthropologist - St. Louis County Medical Examiner Office - St. Louis, MO

[Agenda](#)

[Sunday, April 17](#)

[Monday, April 18](#)

[Tuesday, April 19](#)

[Wednesday, April 20](#)

[Thursday, April 21](#)

[Friday, April 22](#)

Title	Time	Faculty	Room
Registration	7:00AM - 7:45AM		
Welcoming Remarks	7:45AM - 8:15AM	MariaTeresa A. Tersigni-Tarrant, PhD, D-ABFA	

Title	Time	Faculty	Room
Class Picture / Break	8:15AM		
	-		
	8:30AM		
Role of the Medical Examiner/Coroner	8:30AM		
	-	Michael A. Graham, MD	
	9:20AM		
Role of the Investigator	9:25AM		
	-	Kathleen L. Hargrave, D-ABMDI	
	10:15AM		
Break	10:15AM		
	-		
	10:30AM		
Role of the Crime Scene Investigator	10:30AM		
	-	Kevin Lawson, Lieutenant	
	11:15AM		
Role of the Homicide Detective	11:15AM		
	-	Gary Fourtney, MA	
	12:05PM		
Lunch	12:05PM		
	-		
	1:05PM		
Forensic Odontology	1:05PM		
	-	Aaron Oge, DMD	
	1:55PM		
Forensic Anthropology	2:00PM		
	-	Lindsay H. Trammell, PhD, D-ABDMI	
	2:50PM		

Title	Time	Faculty	Room
Break	2:50PM - 3:10PM		
Capabilities of a Crime Laboratory	3:10PM - 3:55PM	Erik Hall, MFS	
Blood Spatter Interpretation	3:55PM - 4:35PM	Erik Hall, MFS	
Death Investigation Laws/Organ and Tissue Procurement	4:35PM - 5:30PM	Julie A. Howe, MBA, D-ABMDI	
Title	Time	Faculty	Room
Gunshot Wound Fatalities	8:00AM - 9:15AM	Michael A. Graham, MD	
Explosion-Related Deaths	9:20AM - 9:50AM	Michael A. Graham, MD	
Break	9:50AM - 10:00AM		
Alcohol Related Deaths	10:00AM - 10:20AM	Mary E. Case, MD	

Blunt Trauma Fatalities	10:25AM	-	Mary E. Case, MD
	11:15AM		
Fatal Head Trauma	11:15AM	-	Mary E. Case, MD
	12:10PM		
Lunch	12:10PM	-	
	1:10PM		
Child Maltreatment	1:10PM	-	Mary E. Case, MD
	2:20PM		
Infant Death Scene Processing	2:20PM	-	Kathleen L. Hargrave, D-ABMDI
	3:15PM		
Break	3:15PM	-	
	3:30PM		
Mock Infant Death Scene	3:30PM	-	Kathleen L. Hargrave, D-ABMDI
	5:30PM		
Title	Time	Faculty	Room
Death Scene Investigation	8:00AM	-	Mary Fran Ernst, F-ABMDI
	9:00AM		
Sudden Unexpected Infant Death	9:05AM	-	Gershon Norfleet, MD
	9:55AM		

	9:55AM	
Break	-	
	10:10AM	
	10:10AM	
Death Scene Investigation	-	Mary Fran Ernst, F-ABMDI
	11:05AM	
	11:10AM	
Identification Techniques	-	Julie A. Howe, MBA, D-ABMDI
	12:00PM	
	12:00PM	
Lunch	-	
	1:00PM	
	1:00PM	
Motor Vehicle Fatalities	-	Kamal D. Sabharwal, MD
	1:50PM	
	1:55PM	
Cutting and Stabbing Fatalities	-	Kamal D. Sabharwal, MD
	2:50PM	
	2:50PM	
Electrocution	-	
	3:40PM	
	3:40PM	
Break	-	
	3:55PM	
	3:55PM	
Sudden, Unexpected Death	-	
	4:40PM	

Course Reception	5:30PM		
	-		
	6:00PM		
Course Dinner	6:00PM		
	-		
	7:30PM		
Title	Time	Faculty	Room
Asphyxial/Drowning Deaths	8:00AM		
	-	Michael A. Graham, MD	
	9:55AM		
Break	9:55AM		
	-		
	10:05AM		
Deaths in Police Custody	10:05AM		
	-	Michael A. Graham, MD	
	11:15AM		
Forensic Toxicology (Part 1)	11:15AM		
	-	Chris Long, PhD	
	12:00PM		
Lunch	12:00PM		
	-		
	1:15PM		
Forensic Toxicology (Part 2)	1:15PM		
	-	Chris Long, PhD	
	1:55PM		
Estimation of Time of Death	2:00PM		
	-	Gershon Norfleet, MD	
	2:50PM		

Break	2:50PM		
	-		
	3:05PM		
	-		
Fire Deaths	3:05PM	MariaTeresa A. Tersigni-Tarrant, PhD, D-ABFA	
	-		
	3:55PM		
	-		
Are you SURE it is a Natural Death?	4:00PM	Mary Fran Ernst, F-ABMDI	
	-		
	5:30PM		
	-		
Title	Time	Faculty	Room
Social Media Impact on Next of Kin Notification	8:00AM	Tara M. Rick, F-ABMDI	
	-		
	8:55AM		
	-		
Courtroom Techniques	9:00AM	Patrick Clifford, JD	
	-		
	10:00AM		
	-		
Course Summation	10:00AM	MariaTeresa A. Tersigni-Tarrant, PhD, D-ABFA	
	-		
	10:15AM		
	-		
Break	10:15AM		
	-		
	10:30AM		
	-		
Optional - *SLU College Credit Examinations*	10:30AM		
	-		
	11:30AM		
	-		
Optional - Course Self-Assessment Testing	10:30AM	MariaTeresa A. Tersigni-Tarrant, PhD, D-ABFA	
	-		
	11:30AM		
	-		

Accreditation

It is the responsibility of the participant to understand their board's requirements for continuing education credits. Below is a list of approvals for the 2016 MLDI series.

Daily sign-in is required each morning and afternoon of the activity. Please look for additional documentation required by your accrediting body. If you do not fall into one of the approved categories below; you will only receive the Certificate of Attendance. No refunds will be issued for certificate fees. It is your responsibility to understand your CME/CE requirements for tracking and proof of credit/hours.

American Medical Association

Saint Louis University School of Medicine designates this live activity for a maximum of **31 AMA PRA Category 1 Credits**. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Validation of Content:

Saint Louis University School of Medicine follows the ACCME policy on Validation of Content for CME activities which require that:

1. All recommendations involving clinical medicine must be based on evidence that is accepted within the profession of medicine as adequate justification for their indications and contraindications in the care of patients.
2. All scientific research referred to, reported or used in CME in support or justification of a patient care recommendation must conform to the generally accepted standards of experimental design, data collection and analysis.
3. Providers are not eligible for ACCME accreditation or reaccreditation if they present activities that promote recommendations, treatment, or manners of practicing medicine that are not within the definition of CME, or known to have risks or dangers that outweigh the benefits or known to be ineffective in the treatment of patients. An organization whose program of CME is devoted to advocacy of unscientific modalities of diagnosis or therapy is not eligible to apply for ACCME accreditation.

Disclosure Policy:

It is the policy of Saint Louis University School of Medicine to insure balance, independence, objectivity and scientific rigor in its continuing medical education program. Faculty and planning committee members participating in these activities are required to disclose to the audiences prior to the activity the following:

(1) A relevant financial relationship within the past 12 months (including themselves and their spouse/partner) as defined by the ACCME. The ACCME defines a "commercial interest" as any proprietary entity producing, marketing, re-selling, or distributing health care goods or services consumed by, or used on, patients, with the exemption of non-profit or government organizations

and non-health care related companies.

(2) Their intention to discuss a product that is not labeled for the use under discussion.

(3) Their intention to discuss preliminary research data.

Saint Louis University School of Medicine will review this activity's disclosures and resolve all identified conflicts of interest, if applicable.

Missouri P.O.S.T. Program

Saint Louis University School of Medicine has been designated as an approved provider for **37.0 continuing education credit hours** for the Missouri Peace Officers Standards and Training Program. **PER P.O.S.T. ATTENDANCE GUIDELINES, ATTENDANCE AT ALL SESSIONS IS REQUIRED IN ORDER TO RECEIVE CREDIT.** If you are unable to attend any session/day due to emergency or work situations, credit will be withheld until you are able to attend the missed sessions at a future course.

Breakdown as follows:

Technical Studies –30.0

Interpersonal Perspectives--2.0

Legal Studies--3.5

Skill Development –1.5

American Board of Medicolegal Death Investigators (ABMDI)

American Board of Medicolegal Death Investigators accepts this course for a maximum of **37 hours of continuing education credit** for registered medicolegal death investigators.

To apply for this credit, you must currently be certified by the ABMDI.

Nursing

Saint Louis University School of Nursing is an approved provider of continuing nursing education by the Midwest Multistate Division, an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

Midwest MSD Provider Approval #118-II

Nursing Contact Hours: 31

Continuing Legal Education

This course is accredited by the Missouri Bar Association and has designated this activity for **37.0 hours of Continuing Legal Education credit.**

Pennsylvania Coroners

This course has been approved for **eight (8) hours of continuing education** by the Pennsylvania Coroners' Education Board under the provisions of Act 22 of 1988.

Participant must attend the full course to receive CE hours

Sponsors

SAINT LOUIS UNIVERSITY School of Medicine

SAINT LOUIS UNIVERSITY
SCHOOL OF NURSING



Lodging and Travel



Hyatt Regency St. Louis at The Arch, 315 Chestnut St, St Louis, MO 63102

Hyatt Regency St. Louis at The Arch is the meeting hotel. We have chosen this hotel for you as it is one of the finest hotels in the Midwest.

You can make your reservation online at <https://resweb.passkey.com/go/SLUApr2016>

If you have problems with the website, please call Reservations at 888-421-1442.

A block of rooms has been set-aside for our conference. **The special conference rate for single or double accommodations is \$129/night plus room tax.** (If no major credit card is available, a \$50/night advance deposit is required at registration.) Children 18 years of age or younger may stay in the same room with you at no additional charge.

Reserve by March 18, 2016, to receive special conference rate.

Hyatt Regency St. Louis at The Arch checkout time is 12 Noon.

Ground Transportation

GO BEST Express Airport Shuttle

How to Make Reservations:

A special convention rate has been negotiated on your behalf. The discounted convention rate of **\$18** each way per person is offered. **Reservations MUST be made online to receive the discounted rate.** Please **click here** to go to our website and begin your reservation to reserve a seat. Walk-ups will not be eligible for convention rate, standard rates will apply. Credit cards are required and charged at the time of reservation.

Light rail service (www.metrostlouis.org) is also available from the airport to downtown St. Louis. For more information including fares and schedules please visit www.metrostlouis.org.

The program concludes on April 26 at 11:30 a.m. It will take you approximately 35 minutes to get from the Hyatt to the airport. We suggest that you make flight arrangements no earlier than 2:00 p.m.

Parking:

If you will be driving to St. Louis, parking is available at the following locations:

Hyatt Regency Hotel garage (valet) - \$32 per day

Mansion House next door - \$8 per day

Meals

Meals can be purchased at several local restaurants within walking distance of the Hyatt or at the restaurants located inside the Hyatt.

The Hyatt offers a special lunch discount for course attendees at one of their restaurants. Vouchers will be available at the registration desk in order to take advantage of this discount.

Additional Information

Reception

A Welcoming Reception will be held Sunday evening, April 17, from 5:30-7:30 pm at The Hyatt Regency St. Louis at the Arch. You are welcome to bring a guest if you wish. Beer, wine, soda and appetizers will be served. Please try to attend this reception, as this will provide you an opportunity to become acquainted with your classmates before the course begins on Monday morning.

Course Dinner Party

The Course Dinner Party is on Wednesday, April 20, beginning at 6 pm with dinner served at 7 pm. Your registration fee covers the expense of this event for you; however, if you would like to bring a guest(s), the cost is \$50.00 per guest, payable at time of registration. The Course Dinner will be held at The Hyatt Regency St. Louis at the Arch.

Contact Information

For general questions, please contact us at cme@slu.edu or 314-977-7401.

College Credit Information Contact

Contact Barb Weekley bweekley@slu.edu for further information on college credit.

Merchandise

Various Medicolegal Death investigation merchandise will be available for purchase during the course.

St. Louis Weather and Course Apparel

Spring is in full swing in the month of April. Daily high temperatures are typically in the 70°s to low 80°s F. The daily lows are typically in the 40°s F.

Apparel for the course should be casual and comfortable. The meeting room temperature is often on the cool side. We suggest that you bring a jacket or sweater to the meeting room as sometimes the room temperature is hard to control—layering of clothes is suggested.

Casual attire is suggested for the dinner on Wednesday evening.

Sightseeing

St. Louis is a historic, upbeat, thriving city with many attractions. You can do any sightseeing you wish on Friday afternoon after the course concludes, or you may want to arrive the Saturday before the course (super saver airfares may then be in effect). We have very little free time scheduled during the week and course attendance is strictly monitored.

The website of the St. Louis Convention & Visitors Commission is www.explorestlouis.com. The site has many interesting facts, with much information about the area - places to visit and things to do and see—it is definitely worth visiting.

Things to do in St. Louis

Sports: Baseball - St. Louis Cardinals: <http://stlouis.cardinals.mlb.com>
Hockey - St. Louis Blues: <http://blues.nhl.com>

Theater and Arts: - *Fabulous Fox*: <http://www.fabulousfox.com/>
- *Saint Louis Symphony*: <https://www.stlsymphony.org/>
- *Saint Louis University Theater*: <http://www.slu.edu/saint-louis-university-theatre>

Disclosure Information:

Michael Graham, MD

Has a relevant financial relationship with Taser International. The SLU CME Program Staff has reviewed this disclosure and do not find it to be a conflict related to the planning of the activity. Any/All presentations regarding mention of Taser products will be reviewed prior to the start of the activity.

MariaTeresa A. Tersigni-Tarrant, PhD, D-ABFA

Has disclosed no relevant financial relationships.



Privacy Notice/Grievance Policy & Procedure

Privacy Notice for Registrants of SLU CME/CE Activities

- We do not sell or rent the information we have about you to anyone
- We do not share your information with outside companies for the purpose of selling their products or services to you
- We will use your email information to inform you of upcoming CME/CE activities approved by the SLU CME Program
- You have the right to *OPT-Out* at any time when receiving invitations regarding upcoming CME/CE activities

Grievance Policy & Procedure

The monitoring and assessment of compliance with these standards and the SLU CME Program Mission is the responsibility of the CME Program Director in consultation with the CME Program Accrediting Director & CME Chairperson, and the Continuing Education Committee.

While Saint Louis University CME Program attempts to anticipate issues and assure fair treatment for all participants to conduct and experience valid and successful CME activities, there may be occasional issues which require intervention and/or action on the part of the CME Program.

To register a complaint or grievance with the Saint Louis University CME Program:

Submit a written, detailed complaint or grievance to cme@slu.edu.

1. Complaints will be reviewed by the Program Director and addressed or transferred to the appropriate level for review:
 - Answers and/or actions taken to rectify complaints will be documented and sent to those that provide contact information.
 - If appropriate, complaints will be reviewed at the CME Committee Meeting for members to discuss and find solutions to the area of complaint.
 - Compliance issues will automatically be moved up to the Accrediting Director for immediate review.

To submit concerns regarding compliance with accreditation requirements, a direct portal to the ACCME Complaint Form is provided on the Saint Louis University CME website, <http://www.accme.org/accme-complaint-form>.



Montana Public Safety Officer Standards and Training Council

2260 Sierra Road East
Helena, MT 59602

Phone: (406) 444-9975
Fax: (406) 444-9978

www.dojmt.gov/post

February 2, 2016

To: Montana Law Enforcement Administrators

Good morning!

The Montana 2015 Legislative Session asked the Law and Justice Interim Committee (LJIC) to examine state law enforcement's eyewitness identification policies and practices. The Legislature is examining the issue of eyewitness identification during the interim session. By demonstrating that the vast majority of agencies in the state have voluntarily adopted written, evidence-based policies it would help eliminate the need for a legislative mandate.

Eyewitness misidentification is the leading contributing factor to wrongful convictions proven with DNA evidence nationally, and has played a role in two of the three DNA-based exoneration cases in Montana. The Innocence Project, Montana Public Safety Officer Standards and Training Council and the Montana Law Enforcement Academy are coordinating training and policy efforts to assist the LJIC. The Montana Law Enforcement Academy (MLEA) developed an eyewitness identification model policy in 2012 that includes evidence-based practices shown to enhance the accuracy of witness identifications, and is training new recruits in these best practices.

In accordance with this effort, the Innocence Project and Montana Public Safety Officer Standards and Training Council (POST) are suggesting that all law enforcement agencies in the state adopt written eyewitness identification policies with key best practices. We encourage agencies to adopt either the MLEA model policy, or their own written policy that includes, at minimum, the following best practices:

1. Blind or blinded administration of the lineup, in which the officer conducting the lineup is unaware of the suspect's identity, or if that is not practical, the officer uses a "blinded" technique such as the folder shuffle method that prevents him or her from seeing which photograph is being viewed by the witness at a given time;
2. Witness instructions that the perpetrator may or may not be present;
3. Using non-suspect "fillers" that generally match the witness's description of the perpetrator and do not make the suspect noticeably stand out, and;
4. Eliciting a witness confidence statement immediately after an identification is made, in which the witness is asked to state his or her level of certainty in the selection made.

Enclosed are the following materials to help your agency easily implement policies that include best practices.

- ***MLEA eyewitness identification model policy.*** This policy can be easily added to a department's patrol guide.

- ***Detailed description of the folder shuffle method***, which can be employed in instances where blind administration is not feasible (e.g. if your agency has limited manpower or if all of the members of service in your agency know the suspect's identity).
- ***Checklist that can be used to ensure that the "core four" reforms*** have been followed. This will also inoculate law enforcement from defense challenges.
- ***Website links to three, short training videos*** created by law enforcement on how to conduct a blind live line-up, a blind photo array, and a "blinded" photo array (folder shuffle method).

For questions regarding the eyewitness identification model policy contact Scott Sterland, MLEA Risk Management Program Manager, at 444-5620 or ssterland@mt.gov

Sincerely,



Perry Johnson
POST Executive Director

Working Retiree Limitations

As a [PERS](#), [SRS](#) or [FURS](#), or [JRS](#) retiree, you can return to work in a position covered by your same retirement system but only in a limited capacity without affecting your retirement.

If you do wish to return to work as a retiree, the law imposes the following limits for all three systems:

- You must sever employment and have been paid all compensation owed to you.
- You must have received at least one month of retirement benefits.
- You cannot have a verbal or written agreement that you will be returning to work.

There are other limitations to working in employment under the same retirement system:

PERS Working Retiree Limitations - You must terminate service for **at least 90 days** before returning to work under covered employment.

For PERS members less than age 65, and work in PERS covered employment in excess of 960 hours, your benefit will be reduced \$1.00 for each \$1.00 earned from PERS covered employment and any other concurrent non-PERS covered employment with the same employer. The limit applies to each calendar year. MPERA reduces benefits only if you exceed the limit.

For PERS members who are age 65 to 70 1/2 years of age - the limit is either 960 hours or an earning limitation, whichever is higher. The earning limitation is equal to your HAC adjusted for inflation. The sum of your retirement benefit and all PERS-associated earnings must be less than the earnings limitations (HAC adjusted for inflation). Earnings from other sources will not apply to the limit. Both limits apply to a single calendar year and we only reduce benefits for those years that your hours or earnings exceed the limit. Your benefit will be reduced \$1.00 for each \$1.00 earned from employment exceeding the limit.

For PERS members over the age of 70 1/2 - there are no limits restricting the earnings or hours of retired members.

The above limits apply only to PERS retirees working in PERS-covered employment. PERS-covered employment includes most positions with the state, university system, local governments, and school districts. If you are a PERS retiree, ask potential employers if the position you are considering would be covered by PERS. **Covered positions include work performed for a PERS participating employer by a PERS retiree through a professional employer arrangement, an employee leasing arrangement, a temporary service contractor or as an independent contractor.** Any retiree working in a PERS covered job may at any time choose to stop retirement and become an active member of PERS again. You may re-retire again later and we will recalculate the retirement benefit based on the additional service.

SRS Working Retiree Limitations

An SRS retiree working for an SRS employer has two limits. The retiree may earn up to \$5,000.00 without penalty. The retiree's retirement benefit will be reduced \$1.00 for each \$3.00 earned in excess of the \$5,000.00 limit from covered employment.

An SRS retiree may work up to 480 hours. If they exceed 480 hours, they must stop their retirement benefit payments and become an active member.

FURS Working Retiree Limitations

A FURS retiree may work up to 480 hours during any calendar year in a FURS-covered position. If they exceed 480 hours, they must stop their retirement benefit payments and become an active member.

JRS Working Retiree Limitations

A retired judge is entitled to receive compensation in an amount equal to the daily salary then applicable to the position up to a total of 180 days in a calendar year. This amount will be limited after 180 days.

If you have any questions regarding working as a retiree, please contact our office and we will be happy to help.

41100 Department of Justice

Standard Budget Summary By Org, Fund, Account

Data Selected for Month/FY: 01 (Jul)/2016 through 08 (Feb)/2016

Business	(All)
Program	(All)
FY_BudF	(All)
Month	(All)
Source o	(All)
Fund Ty	(All)
Account	(All)
Acct Lvl	(All)
Account	(All)
Project	(All)
Ledger	(All)

[Refresh](#)

[Return to Menu](#)

Org	Fund	Subclass	OBPP Program	Acct Lvl 1	Standard Budget	Actuals Amt	A Accrual Amt	Balance
2517 POST Program					450,262.00	184,998.86	(9,124.00)	274,387.14
	01100 General Fund				450,262.00	184,998.86	(9,124.00)	274,387.14
		200H1 POST COUNCIL			350,262.00	157,229.14	(9,124.00)	202,156.86
			19 POST COUNCIL		350,262.00	157,229.14	(9,124.00)	202,156.86
				61000 Personal Services	207,098.00	131,802.51	0.00	75,295.49
				62000 Operating Expenses	143,164.00	25,426.63	(9,124.00)	126,861.37
		200H2 POST LEGAL (BIEN)			100,000.00	27,769.72	0.00	72,230.28
			19 POST COUNCIL		100,000.00	27,769.72	0.00	72,230.28
				62000 Operating Expenses	100,000.00	27,769.72	0.00	72,230.28
Grand Total					450,262.00	184,998.86	(9,124.00)	274,387.14



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
BAS Basic		
5390 Axelrod, Bryan J	GALLATIN COUNTY SHERIFF'S OFFICE	02/01/2016
5391 Balis, Bradford A	FISH, WILDLIFE AND PARKS	02/01/2016
5392 Bare, Bryce	MISSOULA POLICE DEPARTMENT	02/01/2016
5393 Bickford, Justin L	LAUREL POLICE DEPARTMENT	02/01/2016
5394 Blakesley, Jamie L	TREASURE COUNTY SHERIFF'S OFFICE	02/03/2016
5395 Bontrager, Denise D	MILES CITY POLICE DEPARTMENT	02/01/2016
5396 Booth, Michael D	FORT PECK DEPT OF LAW & JUSTICE	02/03/2016
5397 Brown, Seth J	CONRAD POLICE DEPARTMENT	02/03/2016
5398 Flammang, Tyrel	BILLINGS POLICE DEPARTMENT	02/01/2016
5399 Fox, Steven M	CASCADE COUNTY SHERIFF'S OFFICE	01/28/2016
5400 Gaertner, Steven	MILES CITY POLICE DEPARTMENT	02/01/2016
5401 Gibbs, Shane C	BIG HORN COUNTY SHERIFF'S OFFICE	02/01/2016
5402 Glick, Chad R	CARBON COUNTY SHERIFF'S OFFICE	02/01/2016
5403 Goings, John Allen F	BLACKFEET LAW ENFORCEMENT	02/01/2016
5404 Helgeson, Lex D	Fort Belknap Law Enforcement	01/28/2016
5405 Hodke, Logan	GREAT FALLS POLICE DEPARTMENT	02/01/2016
5406 Kambic, Justin R	CASCADE COUNTY SHERIFF'S OFFICE	01/28/2016
5407 Korth, Dylan B	YELLOWSTONE COUNTY SHERIFF'S OFFICE	02/01/2016
5408 Larson, Kaleb D	GREAT FALLS POLICE DEPARTMENT	02/01/2016
5409 Lloyd, Brian M	FISH, WILDLIFE AND PARKS	02/01/2016
5410 Manraksa, Thaison	MISSOULA COUNTY SHERIFF'S OFFICE	02/01/2016
5411 McQuillan, Josh W	CARBON COUNTY SHERIFF'S OFFICE	02/01/2016
5412 Morin, Phillip B	FISH, WILDLIFE AND PARKS	02/01/2016
5413 Myers, Nicolas J	PHILLIPS COUNTY SHERIFF'S OFFICE	02/03/2016
5414 Netzer, Miles	SIDNEY POLICE DEPARTMENT	02/03/2016
5415 Olsen, Brandt W	CASCADE COUNTY SHERIFF'S OFFICE	02/01/2016
5416 Olson (King), Victoria T	HAVRE POLICE DEPARTMENT	02/01/2016
5417 Popelka, Angel C	CASCADE COUNTY SHERIFF'S OFFICE	02/01/2016
5418 Samson, Elizabeth A	GALLATIN COUNTY SHERIFF'S OFFICE	02/01/2016
5419 Sanderlin, David L	YELLOWSTONE COUNTY SHERIFF'S OFFICE	02/01/2016
5420 Schmidt, Joshua P	LEWIS AND CLARK COUNTY SHERIFF'S OFFI	02/01/2016
5421 Schultz, Caleb	BILLINGS POLICE DEPARTMENT	02/01/2016
5422 Tanis, Philip	BILLINGS POLICE DEPARTMENT	02/01/2016
5423 Taylor, Erin S	GALLATIN COUNTY SHERIFF'S OFFICE	02/04/2016
5424 Thomas, Tyler H	DEPARTMENT OF LIVESTOCK	02/02/2016
5425 Tilstra, Michael J	MADISON COUNTY SHERIFF'S OFFICE	02/01/2016
5426 Tri, Jacob T	ROSEBUD COUNTY SHERIFF'S OFFICE	02/03/2016
5427 Tryan, Todd A	FISH, WILDLIFE AND PARKS	02/01/2016
5428 Wells, Victor B	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
5429 Willems, Gerald M	MILES CITY POLICE DEPARTMENT	02/01/2016

Total **BAS** Certificates **40**

INT Intermediate

4745 Buck, Jamie L	BROADWATER COUNTY SHERIFF'S OFFICE	02/01/2016
4746 Chaffins, Lucas J	BOZEMAN POLICE DEPARTMENT	02/01/2016



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
4747 Connelly, Jr., Michael	GLACIER COUNTY SHERIFF'S OFFICE	02/16/2016
4748 DeJong, Joseph H	MONTANA HIGHWAY PATROL	02/01/2016
4749 Drane, Jr., Allen	POWDER RIVER COUNTY SHERIFF'S OFFICE	02/01/2016
4750 Erickson, Shane M	WHITEFISH POLICE DEPARTMENT	02/11/2016
4751 Hamilton, Rocky R	MANHATTAN POLICE DEPARTMENT	02/01/2016
4752 Jones, Jacob	MISSOULA POLICE DEPARTMENT	02/19/2016
4753 Kruse, Patrick H	TETON COUNTY SHERIFF'S OFFICE	02/03/2016
4754 Leonard, Robert T	PONDERA COUNTY SHERIFF'S OFFICE	02/19/2016
4755 Moffet, Charles R	YELLOWSTONE COUNTY SHERIFF'S OFFICE	02/01/2016
4756 Stevens, Brittany R	CASCADE COUNTY SHERIFF'S OFFICE	02/01/2016
4757 Sullivan, Jason G	GLACIER COUNTY SHERIFF'S OFFICE	02/16/2016

Total **INT** Certificates **13**

ADV Advanced

3085 Anderson, Clint W	BOZEMAN POLICE DEPARTMENT	02/04/2016
3086 Auch, Jacob A	RAVALLI COUNTY SHERIFF'S OFFICE	02/04/2016
3087 Barge, Jonathan D	BOZEMAN POLICE DEPARTMENT	02/09/2016
3088 Darby, William A	CASCADE COUNTY SHERIFF'S OFFICE	02/03/2016
3089 Erickson, Shane M	WHITEFISH POLICE DEPARTMENT	02/11/2016
3090 Gunther, Glenn A	BILLINGS POLICE DEPARTMENT	02/04/2016
3091 Jensen, Tony K	BILLINGS POLICE DEPARTMENT	02/04/2016
3092 Lester, Robert L	YELLOWSTONE COUNTY SHERIFF'S OFFICE	02/04/2016
3093 McCave, Matthew S	YELLOWSTONE COUNTY SHERIFF'S OFFICE	02/04/2016
3094 Senenfelder, Tracy W	BOZEMAN POLICE DEPARTMENT	02/04/2016
3095 Slater, Benjamin A	MISSOULA POLICE DEPARTMENT	02/08/2016
3096 Swanson, Joseph K	BOZEMAN POLICE DEPARTMENT	02/04/2016

Total **ADV** Certificates **12**

SUP Supervisory

2799 Buck, Jamie L	BROADWATER COUNTY SHERIFF'S OFFICE	02/04/2016
2800 Doner, Steven W	MSU POLICE DEPARTMENT/BOZEMAN	02/04/2016
2801 Jenness, Justin R	LEWISTOWN POLICE DEPARTMENT	02/04/2016
2802 Kluesner II, Franklin D	BEAVERHEAD COUNTY SHERIFF'S OFFICE	02/04/2016

Total **SUP** Certificates **4**

COM Command

2606 Guy, Mark O	LAUREL POLICE DEPARTMENT	02/11/2016
2607 McLaughlin, Patrick A	MONTANA HIGHWAY PATROL	02/11/2016

Total **COM** Certificates **2**

ADM Administrative

2597 Guy, Mark O	LAUREL POLICE DEPARTMENT	02/11/2016
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Total **ADM** Certificates **1**



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
DTB Detention/Corrections Basic		
2038 Barthel, Jon J	DAWSON COUNTY ADULT DET COR FACILITY	02/22/2016
2039 Bellusci, George E	MONTANA STATE PRISON	02/01/2016
2040 Briggs, Danna F	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2041 Clark, Jordan C	YELLOWSTONE COUNTY DETENTION	02/03/2016
2042 Clements, Duston M	JEFFERSON COUNTY SHERIFF'S OFFICE	02/01/2016
2043 Conrad, Joshua	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2044 Cooper, Jessica M	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
2045 Cunningham, Daniel L	TED LECHNER REGIONAL YOUTH SERVICES	02/03/2016
2046 Dockter, Daniele	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2047 Dodgin, Khristopher M	PARK COUNTY SHERIFF'S OFFICE	02/10/2016
2048 Dulin, Lisa	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
2049 Flint, Brenda K	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
2050 Foley, Connor R	BUTTE/SILVER BOW LAW ENFORCEMENT	02/01/2016
2051 Garrison, Jordan M	MONTANA STATE PRISON	02/03/2016
2052 Harris, Joshua R	CASCADE COUNTY SHERIFF'S OFFICE	02/03/2016
2053 Heimbuch, Wayne J	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2054 Held, Eric	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2055 Helsper, David	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2056 Hoeger, Brenda L	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
2057 Johnson, Brandyn	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2058 Johnson, Gary D	GLACIER COUNTY SHERIFF'S OFFICE	02/08/2016
2059 Keiser, Troy R	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2060 Keller, Kari N	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2061 Kessel, Jordan C	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2062 Leischnerl, Kathryn	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
2063 Loomis, Jimmy	DAWSON COUNTY ADULT DET COR FACILITY	02/22/2016
2064 MacKenzie, James	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2065 Malkuch, Beverly J	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2066 McDonald, Melinda S	MONTANA STATE PRISON	02/01/2016
2067 Metzger, Jeffrey	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2068 Miller, Brashdon	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2069 Monks, Brandi R	CASCADE COUNTY SHERIFF'S OFFICE	02/01/2016
2070 Nodland, Ronald	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2071 Norris, Lee A	JEFFERSON COUNTY SHERIFF'S OFFICE	02/01/2016
2072 O'Meara, Zaine B	CASCADE COUNTY SHERIFF'S OFFICE	02/01/2016
2073 Petersen, Suzan T	MONTANA STATE PRISON	02/03/2016
2074 Picco, Phillip A	FERGUS COUNTY SHERIFF'S OFFICE	02/02/2016
2075 Preston, Cody	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2076 Randall, Beau K	BUTTE/SILVER BOW LAW ENFORCEMENT	02/01/2016
2077 Raney, Sandy	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2078 Rider, Jakeup	CASCADE COUNTY JUVENILE DETN FACILITY	02/01/2016
2079 Riley, Desirae	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2080 Robertson, Brady	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2081 Roe, Patrick	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2082 Saggio, Kim	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
2083 Scheemann, Daniel	ROSEBUD COUNTY SHERIFF'S OFFICE	02/03/2016



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
2084 Shinnick, Cindy D	FERGUS COUNTY SHERIFF'S OFFICE	02/02/2016
2085 Simcox, Dana	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2086 Stoddard, Rhenon P	PARK COUNTY SHERIFF'S OFFICE	02/01/2016
2087 Stuart, Sam E	ROSEBUD COUNTY SHERIFF'S OFFICE	02/03/2016
2088 Tilleman, Connor P	HILL COUNTY SHERIFF'S OFFICE	02/01/2016
2089 Tompkins, Robert	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
2090 Wriglesworth(Zortman, Kayla	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016

Total **DTB** Certificates **53**

DTI Detention/Corrections Intermediate

2670 Postma, Josh	MONTANA STATE PRISON	02/23/2016
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Total **DTI** Certificates **1**

DIS Public Safety Communicators Basic

611 Albright, Ashley N	RAVALLI COUNTY SHERIFF'S OFFICE	01/28/2016
612 Anderson, Sharon L	DANIELS COUNTY SHERIFF'S OFFICE	02/08/2016
613 Blackwell, Chanel K	HELENA POLICE DEPARTMENT	01/28/2016
614 Breeding, Justine M	WHEATLAND COUNTY SHERIFF'S OFFICE	01/28/2016
615 Castillo, Allison A	FERGUS COUNTY SHERIFF'S OFFICE	02/02/2016
616 Chandler, Danielle	ROSEBUD COUNTY SHERIFF'S OFFICE	02/02/2016
617 Cherry (Davis), Jennifer L	ROSEBUD COUNTY SHERIFF'S OFFICE	02/02/2016
618 Cooper, Jessica M	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
619 Dehaven, Haylie A	HILL COUNTY SHERIFF'S OFFICE	01/28/2016
620 Dulin, Lisa	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
621 Fanning, Patti J	FERGUS COUNTY SHERIFF'S OFFICE	02/02/2016
622 Gilmore, Dorothy R	LAKE COUNTY SHERIFF'S OFFICE	01/28/2016
623 Greiff, Chanona	LAKE COUNTY SHERIFF'S OFFICE	01/28/2016
624 Greer, Cheri L	MILES CITY POLICE DEPARTMENT	01/02/2016
625 Harris, Kenneth B	HELENA POLICE DEPARTMENT	01/28/2016
626 Hillson, Sonja K	HILL COUNTY SHERIFF'S OFFICE	01/28/2016
627 Hoeger, Brenda L	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
628 Holmquist, Nancy A	ROSEBUD COUNTY SHERIFF'S OFFICE	01/28/2016
629 Humphries, Elizabeth M	FERGUS COUNTY SHERIFF'S OFFICE	01/28/2016
630 Kaderis, Jane	MILES CITY POLICE DEPARTMENT	02/01/2016
631 Kautt, Coleen K	PHILLIPS COUNTY SHERIFF'S OFFICE	01/28/2016
632 Kempton, Tia L	GALLATIN COUNTY 911 CTR.	01/28/2016
633 Kuroski, Kordette	MADISON COUNTY SHERIFF'S OFFICE	01/28/2016
634 Larson, Steven Zack	MONTANA HIGHWAY PATROL	01/28/2016
635 Mansheim, Jean	MILES CITY POLICE DEPARTMENT	02/01/2016
636 McCarthy, Alexis L	WHEATLAND COUNTY SHERIFF'S OFFICE	02/01/2016
637 Mitchell, Barb K	POWDER RIVER COUNTY SHERIFF'S OFFICE	01/28/2016
638 Much, Kimberly M	MONTANA HIGHWAY PATROL	02/01/2016
639 Ophus, Renate L	FERGUS COUNTY SHERIFF'S OFFICE	02/02/2016
640 Palmer, Kathaleen G	MEAGHER COUNTY SHERIFF'S OFFICE	01/28/2016
641 Prendergast, Kiley B	MISSOULA 911 CENTER	01/28/2016
642 Purkett, Christopher	ROSEBUD COUNTY SHERIFF'S OFFICE	02/03/2016



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name	Instructor Type	Issue Date
643 Shipstead, Kristi	DANIELS COUNTY SHERIFF'S OFFICE	02/01/2016
644 Siegfried, Jennifer A	STILLWATER COUNTY SHERIFF'S OFFICE	02/03/2016
645 Stephens, Heather M	DANIELS COUNTY SHERIFF'S OFFICE	02/01/2016
646 Strouf, Tonett J	MILES CITY POLICE DEPARTMENT	02/01/2016
647 Thompson, Zacharie J	BEAVERHEAD COUNTY SHERIFF'S OFFICE	02/02/2016
648 Timmons, Patrick	BLAINE COUNTY SHERIFF'S OFFICE	01/28/2016
649 Tuggle, Melanie M	DANIELS COUNTY SHERIFF'S OFFICE	02/01/2016
650 Virts, Larry W	HAVRE POLICE DEPARTMENT	01/28/2016
651 Weidner, David E	MONTANA HIGHWAY PATROL	01/28/2016
652 Wiggins, Il, Jack C	BEAVERHEAD COUNTY SHERIFF'S OFFICE	02/02/2016
653 Winkowitsch, Lynn G	GLACIER COUNTY SHERIFF'S OFFICE	02/01/2016
654 Zehms, Amy S	MILES CITY POLICE DEPARTMENT	02/01/2016

Total **DIS** Certificates **44**

COR Coroner Basic

1400 Allard, Andrew J	MINERAL COUNTY SHERIFF'S OFFICE	02/01/2016
1401 Atkins, James R	LAKE COUNTY SHERIFF'S OFFICE	02/01/2016
1402 Bailey, Eric J	CASCADE COUNTY SHERIFF'S OFFICE	01/28/2016
1403 Bell, Donald R	LAKE COUNTY SHERIFF'S OFFICE	02/01/2016
1404 Black, Amari B	GARFIELD COUNTY SHERIFF'S OFFICE	02/01/2016
1405 Conway, David W	MISSOULA ADULT DETENTION FACILITY	02/01/2016
1406 Craft, Paul L	DILLON POLICE DEPARTMENT	02/02/2016
1407 Darby, William A	CASCADE COUNTY SHERIFF'S OFFICE	01/28/2016
1408 Dicken, Jace R	MISSOULA COUNTY SHERIFF'S OFFICE	02/01/2016
1409 Fox, Steven M	CASCADE COUNTY SHERIFF'S OFFICE	01/28/2016
1410 Fulton, Virgil A	ROSEBUD COUNTY SHERIFF'S OFFICE	02/03/2016
1411 Grube, Tim	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
1412 Hackbarth, Clayton P	YELLOWSTONE COUNTY SHERIFF'S OFFICE	02/01/2016
1413 Harbaugh, Trenton C	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
1414 Hoffman, Richard L	YELLOWSTONE COUNTY SHERIFF'S OFFICE	02/01/2016
1415 Kambic, Justin R	CASCADE COUNTY SHERIFF'S OFFICE	01/28/2016
1416 Lahr, Neil S	GLACIER COUNTY SHERIFF'S OFFICE	02/01/2016
1417 LeBrun, Andrew J	CASCADE COUNTY SHERIFF'S OFFICE	01/28/2016
1418 Lucas, Kyle B	PONDERA COUNTY SHERIFF'S OFFICE	02/01/2016
1419 Mahoney, Ben J	CARBON COUNTY SHERIFF'S OFFICE	02/01/2016
1420 McGeshick, Clay J	ROOSEVELT COUNTY SHERIFF'S OFFICE	02/08/2016
1421 Meeder, Jeremy A	MISSOULA COUNTY SHERIFF'S OFFICE	02/01/2016
1422 Melendez, Anna M	DAWSON COUNTY ADULT DET COR FACILITY	02/01/2016
1423 Milender, Judd	GLACIER COUNTY SHERIFF'S OFFICE	02/08/2016
1424 Olsen, Brandt W	CASCADE COUNTY SHERIFF'S OFFICE	02/01/2016
1425 Redhorn, Maurice R	GLACIER COUNTY SHERIFF'S OFFICE	02/08/2016
1426 Robison, Wayne A	TREASURE COUNTY SHERIFF'S OFFICE	02/02/2016
1427 Seymour, James A	GLACIER COUNTY SHERIFF'S OFFICE	02/01/2016
1428 Seifert, Thomas E	GLACIER COUNTY SHERIFF'S OFFICE	02/08/2016
1429 Strandbakke, Cody S	GLACIER COUNTY SHERIFF'S OFFICE	02/08/2016
1430 Thomas, Mike H	MUSSELSHELL COUNTY SHERIFF'S OFFICE	02/01/2016
1431 Venegas, Fernando	LAKE COUNTY SHERIFF'S OFFICE	02/01/2016



PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

Pending Certification Report

Name		Instructor Type	Issue Date
1432	Wells, Victor B	FALLON COUNTY SHERIFF'S OFFICE	02/03/2016
1433	Wilhelms, Tim M	JUDITH BASIN COUNTY SHERIFF'S OFFICE	02/01/2016
Total COR Certificates 34			

INS	Instructors			
4808	Childress, Jay W	DEPARTMENT OF CORRECTIONS	DYNAMIC SIMULATION	02/16/2016
4809	Kopp, Jeremy K	GALLATIN COUNTY SHERIFF'S OFFICE	45 HANDGUN	02/16/2016
4810	Kopp, Jeremy K	GALLATIN COUNTY SHERIFF'S OFFICE	870 SHOTGUN	02/16/2016
4811	Peterson, Don R	GALLATIN COUNTY SHERIFF'S OFFICE	DUTY PISTOL (1911) DEPARTM	02/22/2016
4812	Peterson, Don R	GALLATIN COUNTY SHERIFF'S OFFICE	DUTY RIFLE (AR10) DEPARTME	02/22/2016
4813	Peterson, Don R	GALLATIN COUNTY SHERIFF'S OFFICE	DUTY SHOTGUN (870) DEPART	02/22/2016
4814	Sommers, Brian S	FISH, WILDLIFE AND PARKS	WILDLIFE FORENSICS	02/16/2016
4815	Slater, Benjamin A	MISSOULA POLICE DEPARTMENT	CRISIS INTERVENTION TEAM T	02/16/2016
4816	Wells, James D	GREAT FALLS POLICE DEPARTMENT	TASER X26	02/11/2016
4817	Wells, James D	GREAT FALLS POLICE DEPARTMENT	TASER X-2	02/11/2016
Total INS Certificates 10				



Montana Public Safety Officer Standards and Training Council
Perry Johnson – Executive Director

2260 Sierra Road East
Helena, MT 59602

Phone: (406) 444-9975
Fax: (406) 444-9978

dojmt.gov/post

February 23, 2016

To: POST Council

From: Perry Johnson
Executive Director

Subject: Closure of Cases

This is my written report setting forth the circumstances and resolution of cases. After consultation with legal counsel and meeting with the Case Status Committee of the POST Council, the following cases have been closed:

2012: No cases from 2012 were closed.

12-18 Is the only remaining open case from 2012. Pending Federal court complaint resolution.

2013: No cases from 2013 were closed

There are 2 open cases for 2013.

2014: No cases from 2014 were closed

There is 1 case open for 2014.

2015: One case from 2015 was closed

15-25 Closed by officer's stipulated voluntary surrender.

There are 21 open cases from 2015.

2016: No cases from 2016 were closed

There are 5 open cases from 2016.

Perry Johnson, Executive Director
Montana POST Council